Ireland. Laws, statutes, etc. Revised statutes.

ACTS AND STATUTES, &c.

MADE

In a PARLIAMENT begun at *Dublin*, the Twenty Eighth Day of *November*, *Anno Dom.* 1727, in the First Year of the Reign of Our Most Gracious Sovereign LORD, KING *GEORGE* II.

BEFORE

His Excellency *John* Lord *Carteret*, Lord Lieutenant General, and General Governor of *Ireland*.

And continued under His Excellency *John* Lord *Carteret*, by several Prorogations, until the Twenty Third Day of *September*, 1729.

And further continued under His Grace *Lionel* Duke of *Dorset*, Lord Lieutenant General, and General Governor of *Ireland*, by several Prorogations, until the Fifth Day of *October*, 1731.

And further continued under His Grace *Lionel* Duke of *Dorset*, by several Prorogations, until the Fifth Day of *October*, 1733.

And further continued under His Grace *Lionel* Duke of *Dorset*, by several Prorogations, until the Seventh Day of *October*, 1735.

And further continued under His Grace *William* Duke of *Devonshire*, Lord Lieutenant General, and General Governor of *Ireland*, by several Prorogations, until the Fourth Day of *October*, 1737.

And further continued under His Grace *William* Duke of *Devonshire*, by several Prorogations, until the Ninth Day of *October*, 1739.

And further continued under His Grace *William* Duke of *Devonshire*, by several Prorogations, until the Sixth Day of *October*, 1741.

And further continued under His Grace *William* Duke of *Devonshire*, by several Prorogations, until the Fourth Day of *October*, 1743.

And further continued under His Excellency *Philip* Earl of *Chesterfield*, Lord Lieutenant General, and General Governor of *Ireland*, by several Profogations, until the Eighth Day of *October*, 1745.

And further continued under His Excellency *William* Earl of *Harrington*, Lord Lieutenant General, and General Governor of *Ireland*, by several Prorogations, until the Sixth Day of *October*, 1747.

And further continued under His Excellency *William* Earl of *Harrington*, by several Prorogations, until the Tenth Day of *October*, 1749.

And further continued under His Grace *Lionel* Duke of *Dorset*, Lord Lieutenant General, and General Governor of *Ireland*, by several Prorogations, until the Eighth Day of *October*, 1751.

And further continued under His Grace *Lionel* Duke of *Dorset*, by several Prorogations, until the Ninth Day of *October*, 1753.

And further continued under His Excellency *William* Marquis of *Hartington*, Lord Lieutenant General, and General Governor of *Ireland*, by several Prorogations, until the Seventh Day of *October*, 1755.

And further continued under His Grace *John* Duke of *Bedford*, Lord Lieutenant General, and General Governor of *Ireland*, by several Prorogations, until the Eleventh Day of *October*, 1757. Being the Sixteenth Session of this present PARLIAMENT.

DUBLIN: Printed by BOULTER GRIERSON, Printer to the King's Most Excellent Majesty. MDCCLVIII.

ACTS

AND

STATUTES,

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An Act for vesting the Estate of Dame *Mary Parsons*, Daughter and Heir of *John Cleare* late of *Kilbury* in the County of *Tipperary*, Esq; deceased, comprehended in certain Articles previous to the Marriage of the said Dame *Mary* with Sir *William Parsons*, Baronet, in certain Trustees for Sale of a sufficient Part thereof to Discharge the Debts of the said *John Cleare*;

Cleare; and also the Debts, not exceeding Six Thousand Pounds, of the said Sir *William Parsons*, and for Settling such Part of the Estate of the said Dame *Mary* as shall remain unsold, and the whole of the Estate of the said Sir *William Parsons* comprehended in the Articles so executed previous to the Intermarriage of the said *William Parsons* and Dame *Mary*, to and for the Uses and Purposes mentioned in or intended by the said Articles, touching the said Estates respectively, and also for settling certain Lands which the said Sir *William Parsons* is seized in Fee of to the same Uses, and for the same Trusts, Intents and Purposes, expressed in the said Articles touching and concerning the Estate of the said Dame *Mary Parsons*, except only so far as the said Articles relate to the Debts of the said *John Cleare*.

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in *Ireland*, wherein the Right Honourable *Arthur Hill*, Eſq; and *Anne Hill*, otherwiſe *Stafford*, his Wife, are Plaintiffs, and the Reverend *Samuel Hutchinſon*, Dean of *Dromore*, and ſe-others, are Defendants, to raiſe the Sum of Five Thouſand Five Hundred Pounds, and Intereſt, and to pay the ſame to the Plaintiffs, purſuant to an Agreement, in order to end the ſaid Suit amicably; as alſo to raiſe the Money expended by the Defendants, in defending of the ſaid Suit, and to defray the Expences that ſhall attend the paſſing of this Act. And to enable *Henry Hutchinſon O Hara*, Eſq; and alſo the Reverend *Hutchinſon Hamilton*, Clerk, and *Charles Hamilton*, Eſq; to make Leaſes of certain Lands, in this Bill particularly mentioned, and to preſerve the contingent Remainders limited by the Will of the Right Reverend *Francis Hutchinſon*, late Lord Biſhop of *Down* and *Connor*, from being Defeated and Deſtroyed.

An Act for Veſting the Eſtate of *Thomas Shaw*, of the Town of *Galway*, Eſq; in Truſtees, to be ſold for the Payment of Incumbrances affecting the ſame.

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in Ireland, wherein the Right Honourable Arthur Hill, Esq; and Anne Hill, otherwise Strafford, his Wife, are Plaintiffs, and the Reverend Sammy Hutchinson, Dean of Dromore, and Others, are Defendants, to raise the Sum of Five Thousand Five Hundred Pounds, and Interest, and to pay the same to the Plaintiffs, pursuant to an Agreement, in order to end the said Suit amicably, as also to raise the Money expended by the Defendants, in defending of the said Suit, and to defray the Expences that shall attend the passing of this Act. And to enable Henry Hutchinson, O Hara, Esq; and also the Reverend Hutchinson Hamilton, Clerk, and Charles Hamilton, Esq; to make Leases of certain Lands, in this Bill particularly mentioned, and to preserve the contingent Remainders limited by the Will of the Right Reverend Francis Hutchinson, late Lord Bishop of Down and Connor, from being Defeated and Destroyed.

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AN

ACT

For Granting and Continuing to

HIS MAJESTY,

AN

ADDITIONAL DUTY

ON

Beer, Ale, Strong Waters, Wine, Tobacco, Hides, and other Goods and Merchandizes, therein mentioned; And for prohibiting the Importation of all Gold and Silver Lace, except of the Manufacture of *Great Britain*.

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AN

ACT

For Granting and Continuing to

HIS MAJESTY

AN

ADDITIONAL DUTY

ON

Beer, Ale, Strong Waters, Wine, Tobacco, Hides, and other Goods and Merchandizes therein mentioned; And for prohibiting the Importation of all Gold and Silver Lace, except of the Manufacture of Great Britain.

DUBLIN:

Printed by the Executors of George Faulkner, Printer to the King's most Excellent Majesty, at the Anno Dom. MDCCLXII.

AN

ACT

FOR

Granting and Continuing to His Majesty an Additional Duty on Beer, Ale, Strong Waters, Wine, Tobacco, Hides, and other Goods and Merchandizes therein mentioned; and for Prohibiting the Importation of all Gold and Silver Lace, except of the Manufacture of *Great Britain*.

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WE Your Majesty's Most Dutiful and Loyal Subjects the Commons of Ireland in Parliament Assembled, having a just Sense of Your Royal Care for the Prosperity of all Your Subjects, and well knowing that the Se-

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curity of this Your Realm, and the Continuance of the many Blessings We Enjoy under Your Mild and Auspicious Reign Depend on the Support of Your Majesty's Government, Do most Humbly Beseech Your Majesty that it may be Enacted;

And be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That the several and respective Duties and Impositions on Beer, Ale, Strong, Waters, Wine, Tobacco, and other Goods and Merchandizes, which, in and by an Act of Parliament, Made and Passed in the First Year of Your Majesty's Reign Intituled, An Act for Granting to His Majesty an Additional Duty on Beer, Ale, Strong Waters, Wine, Tobacco, and other Goods and Merchandizes therein mentioned; and also a Tax on Salaries, Profits of Employments, Fees, and Pensions, and for Securing the Re-payment of Fifty Thousand Pounds *Sterling*, formerly Advanced to His Late Majesty for the Use of the Publick, together with the Interest thereof, were Granted unto Your Majesty, or Chargeable in Manner therein Mentioned, from the Twenty Fifth Day of March, One thousand seven hundred

dred and twenty eight, to the Twenty fifth Day of December, One thousand seven hundred and twenty nine, inclusive; And which, by one other Act, Made and passed in the Third Year of Your Majesty's Reign, Intituled, An Act for Granting and Continuing to His Majesty an Additional Duty on Beer, Ale, Strong Waters, Wine, Tobacco, and other Goods and Merchandizes therein Mentioned] were Continued until the Twenty-Fifth Day of December, in the Year of Our Lord One thousand seven hundred and thirty one, inclusive; and which were further Granted and Continued from Time to Time by subsequent Acts of Parliament made in this Kingdom, until the Twenty Fifth Day of December, in the Year of Our Lord One thousand seven hundred and fifty seven, inclusive; Be further Granted, Continued, Raised, Collected, Levied, and paid unto Your Majesty, Your Heirs and Successors, from the Twenty Fifth Day of December, One thousand seven hundred and fifty seven, until the Twenty Fifth Day of December, One thousand seven hundred and fifty nine, inclusive. CHAP. I.

And be it further Enacted by the Authority aforesaid, That all and singular the said Duties hereby Granted and Continued, shall be Raised, Levied, Collected and

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paid unto Your Majesty, Your Heirs and Successors, during the Term aforesaid, over and above all other Duties payable for the same, by Virtue of an Act made in this Kingdom, in the Fourteenth Year of the Reign of King Charles the Second, Intituled, An Act for the Settling of the Excise or New Impost upon His Majesty, His Heirs, and Successors, according to the Book of Rates, therein inserted; or by Virtue of one other Act, made in the Fourteenth Year of the Reign of the said King Charles the Second, Intituled, An Act for Settling the Subsidy of Poundage, and Granting a Subsidy of Tunnage, and other Sums of Money unto His Royal Majesty, His Heirs and Successors, the same to be Paid upon Merchandizes Imported and Exported into or out of the Kingdom of *Ireland*, according to a Book of Rates hereunto annexed.

Provided allways, and be it further Enacted by the Authority aforesaid, That if the said Wines, Strong Waters, Spirits perfectly Made, and Spirits Made and Distilled of Wine and Brandy, or Spirits above Proof, upon which the said Additional Duties are Charged, shall, after payment thereof, or Security given for the same, be again Exported by any Merchant or Merchants that is or are a Subject or Subjects of this Realm, or any other His Majesty's

Majesty's Dominions, within Eighteen Kalendar Months, or by Merchant-Strangers within Twelve Kalendar Months after the Importation thereof, and due Proof first made by Certificate from the proper Officer, of the due Entry of such Wines, Strong Waters, Spirits perfectly Made, and Spirits Made and Distilled of Wine, Brandy, or Spirits above Proof, and of the Payment of the said Additional Duties hereby Granted and Charged thereon, or Security being Given for the same, and that all other Requisites have been Performed, which are by Law required to be Performed, in Cases where the Duties of Excise are to be Repaid, by Virtue of the before-mentioned Act, Intituled, An Act for the Settling of the Excise or New Impost upon His Majesty, His Heirs and Successors, according to the Book of Rates therein inserted, That then the said Additional Duties shall, without any Delay or Reward, be Paid or Allowed unto such Merchant or Merchants so Exporting the same, within One Month after Demand thereof, or the Security for the said Additional Duties, by this Act Charged, shall be Vacated or Discharged, as to so much thereof as shall be so Exported; Any Thing herein Contained to the contrary, notwithstanding. CHAP. I.

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And be it further Enacted by the Authority aforesaid, That for the better Levying and Collecting the several Rates and Duties hereby Granted, all and every the Rules, Directions, Powers and Authorities, Clause and Clauses relating to Brewers Mixing, Laying of, or Increasing their Beer and Ale, and Distillers Distilling Strong Waters, and for Preventing the Mixing of Small Worts with Strong Ale or Beer, after the Gauger hath taken the Gauge thereof, and for Impowering Gaugers to take an Account of all Wash and Low Wines in Distillers Hands, the better to Ascertain the Quantity of Aquavitæ, Strong Waters, and Spirits by them Distilled, and all Penalties and Forfeitures arising thereby and therefrom, Given, Granted, or Enacted, in and by an Act Passed in the Fourth Year of the Reign of His Late Majesty King George the First of Glorious Memory, Intituled, An Act for Continuing to His Majesty, an Additional Duty on all Wines and Strong Waters, and Spirits perfectly Made, and upon all Spirits Made and Distilled of Wine; And also a Tax on all Salaries, Profits of Employments, Fees and Pensions, therein mentioned; And for Granting a further Additional Duty on Ale, Beer and Strong Waters, and Spirits perfectly Made, and upon all Spirits Made and Distilled of Wine; And for Securing the Re-payment

Re-payment of Fifty Thouſand Pounds, *Sterling*, formerly Advanced to His Majeſty for the Uſe of the Publick, together with the Intereſt thereof, which were to Continue from the Twenty firſt Day of November, One thouſand ſeven hundred and ſeventeen, until the Twenty firſt Day of November, One thouſand ſeven hundred and nineteen, inclu-ſive, ſhall be and Continue in full Force from the ſaid Twenty fifth Day of December, One thouſand ſeven hundred and fifty ſeven, until the Twenty fifth Day of December, which will be in the Year of Our Lord One thouſand ſeven hundred and fifty nine, inclusive. CHAP. I.

And be it further Enacted by the Au-thority aforeſaid, That for a further Sup-ply to Your Majeſty, the further additional Duty of Twenty Shillings Sterling on every Hundred Weight of Molaſſes, and the fur-ther Additional Duty of Twenty Shillings Sterling on every Hundred Weight of Treacle, which in and by the ſaid Act of Parliament, Made in the Firſt Year of Your Majeſty's Reign, were Granted unto Your Majeſty from the Twenty fifth Day of March, which was in the Year of Our Lord One thouſand ſeven hundred and twenty eight, until the Twenty fifth Day

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of December, One thousand seven hundred and twenty nine, inclusive; and which were further Granted and Continued unto Your Majesty from Time to Time, by other Acts of Parliament Made in this Kingdom, from the said Twenty fifth Day of December, One thousand seven hundred and twenty nine, until the Twenty fifth Day of December, One thousand seven hundred and fifty seven, inclusive, be further Granted, Continued, Collected, Levied, and Paid unto Your Majesty, Your Heirs and Successors, from the said Twenty fifth Day of December, One thousand seven hundred and fifty seven, until the Twenty fifth Day of December, One thousand seven hundred and fifty nine, inclusive.

And be it further Enacted by the Authority aforesaid, That for a further Supply to Your Majesty, an Additional Duty of Six Pence per Yard, for and upon all Foreign Stuffs, called Romalls, and all Manufactures made of Cotton, or of Cotton and Linen mixed, whether plain, painted, or Stained, which shall be Imported into this Kingdom from any parts Abroad, except the Manufacture of Great Britain; And also an Additional Duty of Six Pence per Yard, over and above the present Duties,

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ties, for all Cambricks not of the Manufacture of Great Britain, which shall be Imported into this Kingdom, exceeding a Yard Wide, shall be Raised, Levied, Collected, and Paid unto Your Majesty, Your Heirs and Successors, from the Twenty fifth Day of December, One thousand seven hundred and fifty seven, to the Twenty fifth Day of December, One thousand seven hundred and fifty nine, inclusive.

And be it further Enacted by the Authority aforesaid, That a further Additional Duty of Three Pence per Yard, upon all Cambricks and Lawns (other than such as are of the Manufacture of Great Britain) which shall be Imported into this Kingdom, from and after the Twenty fifth Day of December, One thousand seven hundred and fifty seven, shall be Raised, Levied, Collected, and Paid to Your Majesty, Your Heirs and Successors, from the said Twenty fifth Day of December, One thousand seven hundred and fifty seven, to the Twenty fifth Day of December, One thousand seven hundred and fifty nine, inclusive, over and above all other Duties payable for the same.

CHAP. I. And be it further Enacted by the Authority aforesaid, That a further Additional Duty of Three Pence per Yard, upon all Cambricks and Lawns (other than such as are of the Manufacture of Great Britain) which shall be Imported into this Kingdom, from and after the Twenty fifth Day of December, One thousand seven hundred and fifty seven, shall be Raised, Levied, Collected, and Paid to Your Majesty, Your Heirs and Successors, from the said Twenty fifth Day of December, One thousand seven hundred and fifty seven, to the Twenty fifth Day of December, One thousand seven hundred and fifty nine, inclusive, over and above all other Duties payable for the same.

And be it further Enacted by the Authority aforesaid, That for a further Supply to Your Majesty, an Additional Duty of Six pence per Hide, for and upon every raw and untanned Hide, which shall be Exported out of this Kingdom to Parts beyond the Seas (except Great Britain) shall be Raised, Levied, Collected, and Paid unto Your Majesty, Your Heirs and Successors, from the Twenty fifth Day of December, One thousand seven hundred and fifty seven, to the Twenty fifth Day of December, One thousand

thouſand ſeven hundred and fifty nine, in-clu-ſive. CHAP. I.

And be it further Enacted by the Authority aforeſaid, That a Duty of Forty Shillings per Pound Weight, for and upon all Velvets, and all Manufactures made of, or mixed with Silk, (except the manufactures of Great Britain, China, Perſia, and the Eaſt Indies) which ſhall be Imported into this Kingdom, from and after the Twenty fifth Day of December, One thouſand ſeven hundred and fifty ſeven, ſhall be Raiſed, Levied, Collected, and Paid, to Your Majeſty, Your Heirs and Succeſſors, from the ſaid Twenty fifth Day of December, One thouſand ſeven hundred and fifty ſeven, to the Twenty fifth Day of December, One thouſand ſeven hundred and fifty nine, inclu-ſive.

And be it further Enacted by the Authority aforeſaid, That the Additional Rates and Duties on Coffee, Tea, Chocolate and Cocoa-Nuts, Granted by the ſaid Act, in the Firſt Year of Your Majeſty's Reign, and Continued as aforeſaid, and all Money ariſing thereby, ſhall be paid to the Truſtees appointed for the Management of the Hempen and Flaxen Manufactures of this Kingdom, to be by them Applied to Encourage and Support

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the said Manufactures, and the Trade thereof in this Kingdom, and that the said Additional Duties on Raw and Untanned Hides, and all Money Arising thereby, shall be Paid to the said Trustees, to be by them Applied towards Encouraging the Raising of Flax-Seed in this Kingdom; And that the said last mentioned further Additional Duty of Three-Pence per Yard upon all Cambricks and Lawns, and all Money Arising thereby, shall be Paid and Applied to the Use of the Governor and Company for Carrying on the Cambrick Manufactury in Dundalk, or elsewhere in this Kingdom.

And be it further Enacted by the Authority aforesaid, That all and every the several and respective Additional Duties hereby Granted or Continued, shall be Raised, Answered, Collected and Paid unto Your Majesty, Your Heirs and Successors during the Term aforesaid, at the same Time, and in like Manner, and by such Ways, Means and Methods, and by such Rules and Directions, and under such Penalties and Forfeitures, and with such Powers as are Appointed, Directed and Expressed, in and by the said Act made in this Kingdom, in the Fourteenth Year of the Reign of King Charles the Second, Intituled, An Act for the Settling

Settling of the Exciſe, or New Impoſt, upon His Majeſty, His Heirs and Succeſſors, according to the Book of Rates therein inſerted, CHAP. I.

or by any other Law now in Force relating to the Revenue of Excile in this Kingdom, as Fully and Effectually, to all Intents and Purpoſes, as if the ſame were particularly Mentioned, Expreſſed, and Enacted again in the Body of this preſent Act, with like Remedy of Appeal, to and for the Party grieved, as in and by the ſaid Acts of Excile, or any other Law or Laws now in being, relating to the Duties of Excile, is Provided.

And be it further Enacted by the Authority aforeſaid, That the Six Pence per Pound, and all other Fees which ſhall or may be Payable to the Vice Treaſurer or Vice Treaſurers, Pay Maſter, or Receiver General, for, or on Account of, or out of the Aids hereby Granted unto Your Majeſty, other than and except ſuch Part thereof as is herein after Appointed to be Paid to the Truſtees of the Hempen and Flaxen Manufactures of this Kingdom, ſhall be Received by the ſaid Vice Treaſurer or Vice Treaſurers, Receiver or Pay Maſter General, for the Uſe of Your Majeſty, Your Heirs and Succeſſors, during the Term aforeſaid, and ſhall be duly Accounted for by him or them to Your Majeſty, Your Heirs and Succeſſors, as

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a further and Additional Aid hereby Given and Granted.

And be it further Enacted by the Authority aforesaid, That the several Sums herein after Mentioned, be Paid out of the aforesaid Additional Duties and Aids Granted and Continued to Your Majesty by this present Act, to the Persons herein after Mentioned (that is to say) the Sum of Two Thousand Pounds per Annum for Two Years from the Twenty fifth Day of December One thousand seven hundred and fifty seven, to the Twenty fifth Day of December One thousand seven hundred and fifty nine, inclusive, to the Trustees Appointed for the Management of the Hempen and Flaxen Manufactures of this Kingdom, for Encouraging and Raising of sufficient Quantities of Hemp and Flax in this Kingdom; And also the further Sum of Two Thousand Pounds per Annum for Two Years from the said Twenty fifth Day of December One thousand seven hundred and fifty seven, to the said Twenty fifth Day of December One thousand seven hundred and fifty nine, inclusive, to the said Trustees Appointed for the Management of the Hempen and Flaxen Manufactures of this Kingdom, for the Encouragement of the said Hempen and Flaxen Manufactures in the Provinces of Leinster, Munster, and Connaught,

Freed

CHAP. I.

Freed and Diſcharged from the Payment of Six Pence per Pound, and all other Fees which ſhall or may be Payable to the Vice Treaſurer, Receiver or Pay Maſter General of this Kingdom, Clerk of the Pells, or any other Officer or Officers of this Kingdom; The Sum of Three Hundred Pounds Sterling, to Agmondiſham and George Veſey, Eſquires, Accomptant General, as a Reward for their Expence and Trouble in Preparing and Stating the Publick Accounts of the Nation, Laid before the Houſe of Commons this Seſſion of Parliament; The Sum of Five Hundred Pounds to Edward Sterling and Henry Alcock, Eſquires, Clerks of the Houſe of Commons, as a Reward for their Attendance and Service this Seſſion of Parliament; The Sum of Two Hundred Pounds to Anthony Sterling, Clerk-Aſſiſtant, as a Reward for his Attendance and Service this Seſſion of Parliament; The Sum of Four Hundred and Twenty Six Pounds Thirteen Shillings and Four Pence, Sterling; To James Baillie, Eſquire, Serjeant at Arms, as a Reward for his Attendance and Service this Seſſion of Parliament; The Sum of Two Hundred and Fifty Pounds to Boyle Browne and Benjamin Higgins, the Clerks Attending the Committee of Accounts, and other Committees of the Houſe of Commons, as a Reward for their

CHAP. I.

Attendance and Service this Session of Parliament, to be equally Divided between them; The Sum of One Hundred and Twelve Pounds to Abraham Bradley, for Printing the Publick Accounts Laid before the House of Commons this Session of Parliament; The Sum of Fifty Pounds to Hulton Bradley as a Reward for his Trouble and Attendance in Delivering the Votes to the Members of the House of Commons this Session of Parliament; The Sum of Eighty Pounds to James Savage and Simon Green, Door-Keepers to the House of Commons, as a Reward for their Attendance and Service this Session of Parliament, to be equally Divided between them; The Sum of Seventeen Thousand Pounds to the Corporation for Promoting and Carrying on the Inland Navigation in Ireland, to be by them Expended towards Carrying on an Inland Navigation from the City of Dublin to the River Shannon, to be by them Accounted for to Parliament; The Sum of Five Thousand Pounds to the Incorporated Society for Promoting English Protestant Schools in Ireland, to Build one Nursery in each Province in this Kingdom, for the Reception of one Hundred Children under the Age of Six Years in each Nursery, to be by them Accounted for to Parliament; The Sum of Seven Thousand Pounds to the Incorporated Society

Society for Promoting English Protestant Schools in Ireland, to enable them to perform their Contracts, and for the Use of the Charter Schools, to be by them Accounted for to Parliament; The Sum of One Thousand Pounds to the Governors of Saint Patrick's Hospital, to enable them to provide Furniture and Admit a greater Number of Patients, to be by them Accounted for to Parliament; The Sum of Two Thousand Pounds to Sir Ralph Gore, Baronet, and Richard Dawson, Esquire, to Build a Church in the Parish of Saint Thomas in the City of Dublin, to be by them Accounted for to Parliament; The Sum of One Thousand Pounds to the Vicar and Church Wardens of the Parish of Saint Mark, Dublin, to enable them to Build Galleries in the Church of the said Parish, and to Raise the Steeple High enough to hang a Bell, to be by them Accounted for to Parliament; The Sum of Two Thousand Seven Hundred and Eighty Pounds Six Shillings, to Edward Sterling, Esquire, the Cost remaining Due for Printing and Binding the Journals of the House of Commons, in Nine Volumes, for the Use of the Members; The Sum of Two Hundred Pounds to the said Edward Sterling, for his Care and Dispatch in Preparing a Copy of the Ninth Volume of the Journals of the House of

CHAP. I.

Commons, and Making an Index thereto; The Sum of Two Hundred Pounds to Edward Sterling and Henry Alcock, Esquires, Clerks of the House of Commons, for the Loss of Fees which they and their Office may sustain by Printing the said Volume; The Sum of Five Hundred Pounds to the Corporation for Promoting and Carrying on the Inland Navigation in Ireland, to be by them Applied in Erecting and Compleating a Pier in the Bay of Bangor, in the County of Downe, to be by them Accounted for to Parliament; The Sum of Six Thousand Pounds to the Governors and Guardians of the Hospital for the Relief of Poor Lying-in Women in Dublin, to Compleat and Finish the said Hospital, to be by them Accounted for to Parliament; The Sum of Two Thousand Pounds to Bartholomew Mosse, Master of the said Hospital, as a Reward for his great Care and Diligence in Attending the Lying-in Hospital in George's-Lane Thirteen Years, and Superintending the New Hospital in Great-Britain-street Nine Years and a half, by which he hath greatly Injured himself in his Profession, and hurt his Family in their Circumstances, having never received any Reward; The Sum of Five Thousand Pounds to the Trustees appointed for Carrying on the Pier at Dunlary, in Order to enable them to carry on the same,

same, to be by them Accounted for to Parliament; The Sum of Four Thousand Pounds to William Deane, Hugh White and Company, to Enable them more effectually to Carry on the Manufacture by them Undertaken in the City of Dublin; The Sum of Five Hundred Pounds to Jonathan Sisson, of Lucan in the County of Dublin, Linen-Printer, to Reimburse him for the Expences he has been at in repeated Tryals, in Order to bring the Manufacture of Printing Linen to a further perfection; The Sum of Three Hundred Pounds to Francis-Ozier of Dame-street, Dublin, Silk-Weaver, to Enable him to Carry on the said Manufacture; The Sum of Three Hundred Pounds to Robert Randall, of the City of Dublin, Paper-Maker, to Enable him to Carry on the said Manufacture; The Sum of Five Hundred Pounds to Robert Calderwood, Goldsmith, and Joseph Weld, Gold and Silver Lace Maker, to Enable them to Carry on the the Manufacture of Gold and Silver Lace; The Sum of Two Hundred Pounds to William Byrne, Damask Manufacturer, for his Encouragement in that Manufacture; The Sum of Two Hundred Pounds to Michael M'Daniel, Paper-Maker, to Enable him to Carry on the said Manufacture; The Sum of Four

CHAP. I.

Thousand Pounds to Thomas Wise, Esquire, upon his giving Security, by Recognizance, before the Lord Chief Baron, or one other of the Barons of his Majesty's Court of Exchequer, upon Condition that the said Sum shall be Expended in Carrying on the Copper, Lead, Brass, Iron and Hard-Ware Manufactures in this Kingdom, and be by him Accounted for to Parliament; All which said several Sums are to be paid by the Vice Treasurers or Receiver General of this Kingdom, without any further or other Warrant to be Sued for, Had, or Obtained in that Behalf.

And be it further Enacted by the Authority aforesaid, That no Gold or Silver Lace whatsoever, except of the Manufacture of Great Britain, shall, from and after the Twenty fifth Day of December, One thousand seven hundred and fifty seven, be Imported in any Ship or Vessel whatsoever into this Kingdom, under the penalty of the Forfeiture of all such Lace, and Treble the Value thereof, and the Ship or Vessel in which the same shall be Imported, with all her Guns, Tackle, Furniture, Ammunition and Apparel, one Moiety of which Forfeitures shall be and Remain to Your Majesty, Your Heirs and Successors

Successors, and the other Moiety to him or them, who shall Seize and Sue for the same, by Action, Bill, Plaint or Information, in the Court of Exchequer, wherein no Wager of Law, Protection, Essoign, or other dilatory Plea shall be allowed. CHAP. I.

CHAP. II.

AN

ACT

TO

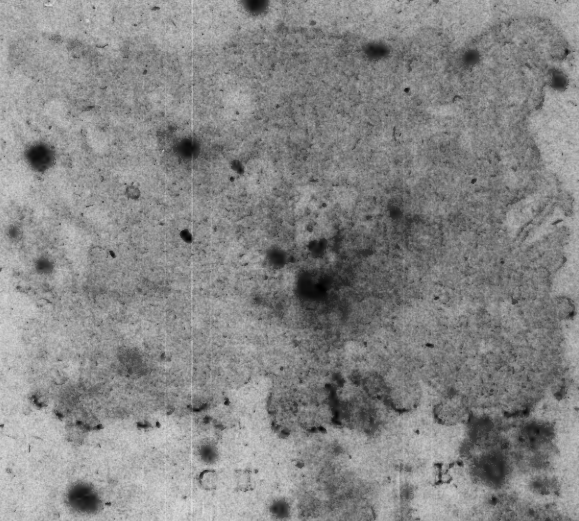
Prevent the Diſtilling of Spirits from Wheat, Oats, Bear, Barley, Malt, Beans, and Peaſe, or from any Potatoes, Meal or Flour of Wheat, Oats, Bear, Barley, Malt, Beans, or Peaſe, for a limited Time.

GII. R.



DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's-Arms* and *Two Bibles* in *Eſſex-Street*. M DCC LVIII.



II.

AN

ACT

T

Prevent the Diſtilling of Spirits from Wheat, Oats, Bear, Barley, Malt, Beans, and Peaſe, or from any Potatoes, Meal or Flour of Wheat, Oats, Bear, Barley, Malt, Beans, or Peaſe, for a limited Time.

CHAP. II.

CHAP. II.

WHEREAS it is Expedient that the Diſtilling or Extracting of ſtrong Wines or Spirits from Wheat, Bear, Barley, Malt, Oats, Beans, and Peaſe, or from any Potatoes, Meal or Flour of Wheat, Oats, Bear, Barley, Malt, Beans, or Peaſe, ſhould be Prohibited for a limited Time;

CHAP. II. Be it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament Assembled, and by the Authority of the same; That from and after the Twenty-fifth Day of March, in the Year of our Lord One thousand seven hundred and fifty-eight, no Aqua Vitæ, lold Wines, or Spirits whatsoever, shall be Made, Extracted, or Distilled within this Kingdom, from any Wheat, Oats, Bear, Barley, Malt, Beans, or Peale, or from any Potatoes, Meal or Flour of Wheat, Oats, Bear, Barley, Malt, Beans, or Peale, until the First Day of September, One thousand seven hundred and fifty-nine.

And be it further Enacted by the Authority aforesaid, That if, during the Time herein limited, any Distiller or Maker of Aqua Vitæ, lold Wines, or Spirits, or any other Person or Persons whatsoever, shall Brew, Make, Extract, or Distil, or Cause or Procure to be Brewed, Made, Extracted or Distilled any Aqua Vitæ, lold Wines, or Spirits, from any Wheat, Oats, Bear, Barley, Malt, Beans, or Peale, or from any Potatoes, Meal or Flour of Wheat, Oats, Bear, Barley, Malt, Beans,

Beans, or Peale, or shall Use or Mix, or Cause, or Procure to be Used or Mixed, any Wheat, Oats, Bear, Barley, Malt, Beans, or Peale, or any Potatoes, Meal or Flour of Wheat, Oats, Bear, Barley, Malt, Beans, or Peale, in any Worts or Wash, in Order for the Making, Extracting or Distilling Aqua Vitæ, foul Wines, or Spirits, or shall put or Lay, or Cause or Procure to be put or Layed in any Tun, Washing, Batch, Cask, Copper, Keeve, Still, or other Vessel or Utensil, any Wheat, Oats, Bear, Barley, Malt, Beans, or Peale, or any Potatoes, Meal or Flour of Wheat, Oats, Bear, Barley, Malt, Beans, or Peale, for the Purpose of Preparing any Worts or Wash, or for Making, Extracting, or Distilling Aqua Vitæ, foul Wines, or Spirits, whether such Tun, Wash, Batch, Keeve, Cask, Copper, Still, or other Vessel or Utensil, hath or hath not been duly Entered at the Excise Office, That then, and in each and every of the said Cases, such Distiller or Maker of Aqua Vitæ, foul Wines, or Spirits, or other Person or Persons, acting Contrary to the Directions of this Act, or the Person or Persons in whose Custody or Possession any such Tun, Wash, Batch, Keeve, Cask, Copper, Still, or other Vessel, or Utensil which shall be made Use of contrary to the Intention of this Act, shall

CHAP. II.

be found, shall respectively for every such Offence, Forfeit and pay the Sum of Two Hundred Pounds, and all such Wheat, Oats, Bear, Barley, Malt, Beans, and Peale, and such Potatoes, Meal, and Flour, and such Worts and Wash, Aqua Vitæ, Low Wines and Spirits, shall be also Forfeited.

And be it further Enacted by the Authority aforesaid, That during the Time herein limited, it shall be lawful for any Person or Persons, who shall be authorized for that Purpose, by the Chief Commissioners of His Majesty's Revenue in Ireland, for the Time being, or any Two or more of them, within the Limits of the City of Dublin, or by One or more Justice or Justices of the Peace, or Magistrate, in any City or Town Corporate in this Kingdom, at any Time or Times, or any Officer of Excise, within his District, to Enter into any Work-house, Still-house, Store-house, Ware-house, or any other Place wherein any Aqua Vitæ, Low Wines, or Spirits, or Worts, or Wash, shall be, and are suspected to be Made, Brewed, Extracted, Distilled, or Prepared, or wherein any Aqua Vitæ, Low Wines, or Spirits, or Worts, or Wash, shall have been Made, Brewed, Extracted, Distilled, or prepared, after the said Twenty fifth Day of March, One thousand seven

seven hundred and fifty eight, and shall have free Admittance into the same. And in case any such Person or Persons, authorized as aforesaid, shall have Reason to suspect that any Wheat, Oats, Bear, Barley, Malt, Beans or Pease, or Potatoes, Meal, or Flour of Wheat, Oats, Bear, Barley, Malt, Beans, or Pease, is Mixed, in any Worts, or Wash, or in any other Material or Preparation for Making, Brewing, Extracting, or Distilling Aqua Vitæ, Low Wines, or Spirits, it shall be lawful for such Person or Persons at any Time or Times, during the said Term, upon Payment of Two Shillings and Six Pence, to take a Sample, not exceeding Two Quarts, of any such Worts, or Wash, Material, or Preparation, which shall be found in any such House, or other Place, as aforesaid: And in case any Distiller, Brewer, or Maker of Aqua Vitæ, Low Wines, or Spirits, or the Owner or Occupier of any such House or Place, or any Workman, or Servant to any such Distiller, Brewer, Owner or Occupier belonging, shall refuse to Admit such Person or Persons, as shall be so authorized, into any such House or Place, or shall Obstruct or Hinder any such Officer, or Person or Persons, in making such Inspection as aforesaid, or shall not allow any such Person or Persons to take such Sample, after the said Sum of Two Shil-

CHAP. II.

CHAP. II.

lings and Six-pence shall be paid, or Tendered for the same, such Distiller, Brewer, Owner, or Occupier, shall, for every such Offence, respectively, Forfeit and pay the Sum of One Hundred Pounds; And it shall be lawful for any such Person or Persons, authorized as aforesaid, to Seize, Take, and Carry away, all such Corn, Meal, Flour, and Potatoes, as shall be found in any such House, or other Place, together with all the Sacks, Bags, Vessels, and other Things, in which the said Commodities shall be contained.

And be it Enacted by the Authority aforesaid, That all Penalties and Forfeitures by this Act Imposed, shall be Sued for, and Recovered by Action of Debt, Bill, Plaint, or Information, in any of His Majesty's Courts of Record at Dublin; and that one Moiety of the Penalties and Forfeitures, when Recovered, shall be to the Use of the Protestant Schools in Ireland, and the other Moiety to him or them who shall Sue for the same.

Provided allways, That all Suits, Prosecutions, or Informations for Offences Committed against this Act, shall be Commenced and Made within the Space of Three Kalendar Months after the Fact is

is Committed, and not otherwise; any Thing herein contained to the contrary, notwithstanding.

And be it Enacted by the Authority aforesaid, That if any such Action or Suit shall be Commenced against any Person or Persons, for any Thing done in Pursuance of this Act, such Action or Suit shall be Commenced within the Space of four Kalendar Months next after the Offence shall be Committed, the Defendant or Defendants in any such Action or Suit, may Plead the General Issue, and give this Act and the Special Matter in Evidence, on any Trial to be had thereupon, and that the same was done in Pursuance, and by the Authority of this Act; And if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; And if the Plaintiff shall be Nonsuited, or Discontinue his Action, after the Defendant or Defendants shall have Appeared, or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall and may Recover Treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law.

CAP. II. Provided allways, and it is Enacted by the Authority aforesaid, That this Act shall continue in force, until the first Day of September, One thousand seven hundred and fifty nine, and no longer.

AN

CHAP. III.

AN

ACT

FOR

Better Supplying the City of *Dublin* with Corn and Flour.

GII. R.



DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's-Arms* and *Two Bibles* in *Eſſex-Street*. MDCCLVIII.

CHAP.
III.

AN

ACT

FOR

Better Supplying the City of Dublin
with Corn and Flour.

GEO. R.

DUBLIN:

Printed by the Executors of Grorge Ashaham Grierson,
Printer to the King's Most Excellent Majesty, at the Anglo-
Hiern and Free Press in Dame-Street. MDCCLVIII.

CHAP. III.

AN

ACT

FOR

Better Supplying the City of *Dublin* with Corn and Flour.

CHAP. III.

WHEREAS the Inhabitants of the City of Dublin have frequently been Reduced to great Diſtreſs for Want of Corn and Flour;

CHAP. III.

For Remedy whereof, be it Enacted by the King's Moſt Excellent Majeſty, by

CHAP. III.

and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That all and every Person or Persons, who shall, after the First Day of June, in the Year of our Lord, One thousand seven hundred and fifty eight, bring any Quantity of Sound, Clean, Well-saved Merchantable Corn, Wheat, Rye, Mestlin, Bear, Barley, Malt, Oats, Flour, or Meal, by Land-Carriage, to the City of Dublin, from any Place where the same Grew, or was Made, within this Kingdom, which is at a greater Distance from the City of Dublin than Ten Miles Irish Plantation-Measure, and shall Sell the same in any of the Publick Markets, or Places where Corn is usually Sold in the City of Dublin, the Liberties of Saint Sepulchres, Thomas-Court and Donore, shall, upon performing the several Requisites herein after mentioned, Receive from the Collector of the Poor of Dublin, for the Time Being, for every Forty Stone Weight of such Corn, Wheat, Rye, Mestlin, Bear, Barley, Malt, Oats, Flour, or Meal, and so in a rateable Proportion for any greater Quantity which he or they shall so bring from any Place, at any greater Distance from

from ſaid City than Ten Miles Iriſh Plantation Meaſure, and ſhall ſell the ſame as aforeſaid, the ſeveral Sums herein after ſpecified, in Proportion to the reſpective Diſtances of the Places from whence the ſame ſhall be ſo brought, That is to ſay, for every Five Miles Iriſh Plantation Meaſure ſuch Place ſhall be Diſtant from the City of Dublin, over and above Ten Miles Iriſh Plantation Meaſure, the Sum of Five Pence. CHAP. III.

Provided allways, That no Perſon or Perſons ſhall be Intitled to receive more for the Carriage of Forty Stone Weight of ſuch Corn, Wheat, Rye, Meſſlin, Bear, Barley, Malt, Oats, Flour or Meal, ſo brought to the ſaid City of Dublin, and Sold as aforeſaid, than the Sum of Ten Shillings.

Provided alſo, and be it Enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall be Intitled to receive any of the reſpective Sums of Money herein before ſpecified, unleſs he or they ſhall firſt deliver to the ſaid Collector an Affidavit made by the Owner of ſuch Corn, Wheat, Rye, Meſſlin, Bear, Barley, Malt, Oats, Flour or Meal, or ſome Perſon employed by him to take Care of the ſame, Sworn before ſome Juſtice of the Peace of the

CHAP. III.

County where such Corn, Wheat, Rye, Mestlin, Bear, Barley, Malt, Oats, Flour or Meal, has been brought (which Oath every such Justice of the Peace is hereby Impowered and Required to Administer) which Affidavit shall contain the Quantity and Quality of such Corn, Wheat, Rye, Mestlin, Bear, Barley, Malt, Oats, Flour or Meal, the Name of the Place, Parish, and County where such Corn, Wheat, Rye, Mestlin, Bear, Barley, Malt, Oats, Flour or Meal Grew or was Made, and the Number of Irish plantation Miles such place is Distant from the City of Dublin; and shall also Deliver to the said Collector, a Certificate under the Hands and Seals of Two Justices of the Peace of such County, containing the several particulars herein before directed to be mentioned in such Affidavit as is herein before required to be made, and shall prove by One or more Credible Witness or Witnesses upon Oath; which Oath the said Collector is hereby Impowered to Administer, That such Certificate was Signed and Sealed by the respective persons whose Names are Subscribed thereto, and that such Corn, Wheat, Rye, Mestlin, Bear, Barley, Malt, Oats, Flour or Meal, has been Sold in some One of the publick Markets or places where Corn is usually Sold in the City of Dublin, the Liberties

of

of Saint Sepulchres, Thomas Court and Donore. CHAP. III.

Provided also that the Carrier of such Corn, Wheat, Rye, Wheaten, Bear, Barley, Malt, Oats, Flour or Meal, shall make an Affidavit before the Lord Mayor, or one of the Aldermen of the City of Dublin, who are hereby Impowered and Required to take the same without Fee or Reward, in which he shall mention the Name or Names of the Person or Persons who Delivered the same to him, the Place where the same was so Delivered to him, and the Quantity thereof, and that he brought the same, without any Fraud, from the Place where the same was so Delivered to him, and the Quantity thereof, and that he brought the same, without any Fraud, from the Place where the same was so Delivered to him, to the City of Dublin.

And be it Enacted by the Authority aforesaid, That if any Person or Persons shall Forge any such Certificate or Affidavit, or shall produce to such Collector any such Certificate or Affidavit, knowing the same to be Forged, or shall knowingly Swear any Thing which is False in any such Affidavit, he or they shall, upon Conviction thereof, suffer such Punishment as

CHAP. III.

Persons convicted of Wilful and Corrupt Perjury are by the Laws of this Kingdom subject to.

And be it Enacted by the Authority aforesaid, That such Collector shall be allowed, in his Account, whatever Sum or Sums he shall Pay in pursuance of this Act.

AN

CHAP. IV.

AN

ACT

FOR

Allowing further Time to Perſons in Offices and Employments, to Qualify themſelves, purſuant to an Act, Intituled, *An Act to Prevent the further Growth of Popery.*

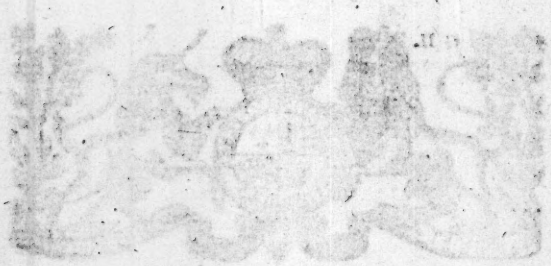


DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON; Printer to the King's Moſt Excellent Majeſty, at the *King*'s *Arms* and *Two Bibles* in *Eſſex-Street.* MDCCLVIII.

ACT

Allowing further Time to Perfons in Offices and Employments, to Qualify themselves, pursuant to an Act, Intituled, An Act to Prevent the further Growth of Popery.



AN

ACT

FOR

Allowing further Time to Perſons in Offices or Employments, to Qualify themſelves, purſuant to an Act, Intituled, *An Act to Prevent the further Growth of Popery.*

CHAP. IV.

CHAP. IV.

WHEREAS ſeveral perſons well-affected to His Majeſty's Government and the Church of Ireland, as by Law Eſtabliſhed, may have, through Ignorance, Neglected or been Prevented by Sickneſs, or other unavoidable Cauſes,

CHAP. IV.

from Taking and Subscribing the Oaths, and Making and Subscribing the Declaration, and from Receiving the Sacrament of the Lord's Supper, according to the Directions of an Act Made in this Kingdom, in the Second Year of the Reign of her Late Majesty Queen Anne, Intituled, An Act to Prevent the further Growth of Popery; and by their Inadvertency, may have Incurred great Penalties;

Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That all and every Person or Persons, who have Incurred any Penalties and Incapacities in the said Act, Intituled, An Act to Prevent the further Growth of Popery, mentioned, by Neglecting to Qualify themselves according to the said Act, shall be, and are hereby Indemnified, Freed, and Discharged of and from all Incapacities, Disabilities, Forfeitures, and Penalties Incurred by Reason of such Omission or Neglect, as aforesaid; and that no Act or Acts done by them, or any of them, or by Authority derived from them, or any of them, and not yet Avoided, shall be Questioned or Avoided, by Reason of such

such Neglect or Omission, but all such Acts shall be, and are hereby Declared and Enacted to be, as Good and Effectual, as if all and every such Person and Persons had Taken and Subscribed the said Oaths, and Received the said Sacrament, and Made and Subscribed the said Declaration, in Manner as aforesaid; any Thing in the said Act to the contrary notwithstanding.

Provided such Person or Persons do and shall Take and Subscribe the said Oaths, and Receive the said Sacrament, and Make, Repeat, and Subscribe the said Declaration, in such Manner and Form, and in such Place and Places as are Directed and Appointed by the said Act to prevent the further Growth of Popery, on or before the First Day of May which shall be in the Year of Our Lord One thousand seven hundred and fifty eight.

And whereas several of His Majesty's Subjects are often Preferred in the Army residing in Great Britain, by which they are by the Laws in Force in that Kingdom, obliged to Qualify themselves in some part of Great Britain, by Receiving the Sacrament, Taking the Oaths, and Subscribing the Declaration, within the Time mentioned in such Laws.

CHAP. IV.

And whereas the Regiment, or Regiments, in which such Officer or Officers have Commissions so granted them, are often Ordered into this Kingdom, and put upon this Establishment, by which a Doubt has arisen, whether such Officer or Officers, notwithstanding he or they having Qualified themselves in Great Britain, for such Commissions, according to the said Laws, are not by the Laws in Force in this Kingdom obliged to Qualify themselves after their Arrival here for such Commissions, according to an Act of Parliament passed in this Kingdom, in the Second Year of the Reign of her late Majesty Queen Anne, Intituled, An Act to Prevent the further Growth of Popery.

Be it Enacted by the Authority aforesaid, That no Officer or Officers so preferred in Great Britain, who shall have Qualified him or themselves for such Commission or Commissions according to and within the Time limited by the said Laws made in Great Britain, shall be obliged to Qualify him or themselves in this Kingdom for such Commission or Commissions so granted to him or them in such Regiment or Regiments after their Arrival in this Kingdom, and being put

put upon this Eſtabliſhment; any Law, Uſage, or Cuſtom to the Contrary notwithſtanding. CHAP. IV.

Provided allways, That this Act, or any Thing herein contained, ſhall not Extend to Reſtore or Intitle any Perſon or Perſons to any Office or Employment already actually Avoided by Judgment of any of His Majeſty's Courts of Record, or already filled up by any other Perſon, but that ſuch Office or Employment ſhall be and remain in the Perſon or Perſons who is or are now Intitled by Law to the ſame, as if this Act had never been made.

put upon this Establishment; any Law, Clause, or Clauses to the Contrary notwithstanding.

Provided always, That this Act, or any Thing herein contained, shall not extend to Restore or Entitle any Person or Persons to any Office or Employment already granted away by Authority of any of His Majesty's Courts of Record, or otherwise Disposed of by any other Person, but that such Office or Employment shall be and remain in the Person or Persons who is or are now Entitled by Law to the same, as if this Act had never been made.

CHAP. V.

AN

ACT

FOR

Diſſolving the Union of the Pariſhes of *Clonuff* and *Drumgath*, in the Dioceſe of *Dromore*.

GII R.



DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's-Arms* and *Two Bibles* in *Eſſex-Street*. M DCC LVIII.

CHAP. V.

AN

ACT

FOR

Dissolving the Union of the Parishes of Clonuff and Drumgarth, in the Diocese of Dromore.

GEO. R.

DUBLIN:

Printed by the Executor of George Faulkner, Printer to the King's Most Excellent Majesty, at the King's-Arms and Two Bibles in Essex-Street, MDCCLVIII.

AN ACT FOR

Diſſolving the Union of the Pariſhes of *Clonuff* and *Drumgath*, in the Dioceſe of *Dromore*.

CHAP. V.

CHAP. V.

WHEREAS by an Act made in the ſecond Year of the Reign of His late Majeſty King George the Firſt, Intitled, An Act for the real Union and Diviſion of Pariſhes, and re-

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reciting, That Whereas Parishes are in some Parts of this Kingdom so little, that five or six lye together within a Mile or Two, whereby the Subjects are like to be much burthened with unnecessary Charge of Building and Repairing so many Churches; and the Means also are so small, that sundry of them will not serve for the Sustentation of one Incumbent; and in some Places, Parishes are so Vast and Extended in Length, that it is difficult for the Parishioners to Repair to their Parish Churches, and return Home the same Day; and many Times so inconveniently Divided, that the Parishioners of one Parish may with more Ease and Conveniency Repair to another Parochial Church than to their own, and all Parties by an indifferent Exchange may be better accommodated; It is among other Things Enacted, That it shall be lawful for the Chief Governors of this Kingdom, with the Assent of the major Part of the Privy Council in Council Assembled, Six at least consenting, and with the Approbation of the Archbishop of the Province, and the Bishop of the Diocese, Certified under their Hands and Archiepiscopal and Episcopal Seals, with the Consent of the Respective Patrons and Incumbents, Certified under their Hands and Seals, attested by two Credible Witnesses subscribing thereunto, to divide old Parishes and separate any Parish, or Part of a Parish of late United, and to unite Parishes one to another, or Part of a Parish to another Parish, or Part of a Parish in Perpetuity, and to erect such divided or united Parishes, or Part of Parishes, into New

New Parishes, with all Parochial Rights, which Act is by a subsequent Act made perpetual. CHAP. V.

And whereas, in Virtue of the said Act, the Parish of Clonuff, in the Diocese of Dromore, is united in Perpetuity to the Parish of Drumgath in the said Diocese; and the said Parishes of Clonuff and Drumgath, are Made and Constituted one Intire Parish, by the Name of the Parish of Rathfryland.

And whereas by the Number of Inhabitants residing in the said United Parishes of Clonuff and Drumgath, the Cure is too great to be Discharged by one Minister, and the Parochial Church of the said United Parishes is not Large enough for the Convenient Accommodation of the Protestant Parishioners of the said United Parishes, to hear Divine Service, and perform Religious Duties in; as also for that a great Part of the said United Parish of Clonuff, lyeth at too great a Distance from the Parochial Church of the said United Parishes, by which many of the Parishioners of the said Parish of Clonuff, are obliged to Travel Six Miles, to the said Parochial Church of the said United Parishes; the said Parish of Clonuff being near Six Miles in Length, and Six Miles in Breadth.

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And whereas, the Proprietors and Parishioners of the said Parish of Clonuff are Willing and Desirous, to Rebuild or Repair the Parish Church of the said Parish of Clonuff, and to Accommodate the Vicar thereof with a Sufficient Glebe, at a reasonable Rate.

For Remedy therefore of the said Inconveniencies, and to the End that the Cure of the Souls of the Inhabitants of the said United Parishes may be better Attended and taken Care of, than the same can be by one Person, and the Inhabitants of the said United Parishes, be Encouraged, by the Accommodation they will have for the Worship of God in Publick, frequently and constantly to Resort and Repair to their several Parish Churches, for the due performance of Religious Duties:

Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That from and immediately after the next Avoidance of the said Benefice of the said United Parishes, by Death, Resignation, Cession, or otherwise, the said Union of the said Parishes of

Clonuff

Clonuff and Drumgath, be null and void; And the same is hereby Declared thencefoꝛth to be null and void to all Intents and Purpoſes whatſoever; And that the ſaid Pariſhes of Clonuff and Drumgath, ſhall, from thencefoꝛth, be Deemed, Eſteemed, and Taken as Two Diſtinct Pariſhes, and be Divided and Separated, in ſuch Manner, and by ſuch Mears and Bounds, as they were beforꝛe they were United as aforꝛeſaid; And each of them ſhall be Separate and Independent of the other, and ſhall each of them, by Itſelf, have and enjoy all the Parochial Rights and Privileges as ſeparate and diſtinct Pariſhes, in as ample Manner, as they had and enjoyed the ſame beforꝛe the ſaid Union was made; any Thing in the ſaid recited Act, oꝛ in the ſaid Union, to the contrary, notwithſtanding. CHAP. V.

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AN

ACT

FOR

Continuing and Amending ſeveral Laws heretofore made, relating to His Majeſty's Revenue, and for the more effectual Preventing of Frauds in His Majeſty's Cuſtoms and Exciſe.



DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's Arms* and *Two Bibles* in *Eſſex-Street*. MDCCLVIII.

CHAP.
VI.

AN

ACT

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AN

ACT

FOR

Continuing and Amending several Laws heretofore made, relating to His Majesty's Revenue, and for the more effectual Preventing of Frauds in His Majesty's Customs and Excise.

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WHEREAS the several Statutes herein after Mentioned, have been found to be of general Use, but are now near Expiring; Be it Enacted by the King's Most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual

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and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, That an Act of Parliament, made in this Kingdom, in the Sixth Year of his late Majesty King George the First, intitled, An Act for the more Effectual Preventing the Running of Goods, and for the further Preventing of Frauds Committed in His Majesty's Customs; and One other Act of Parliament, made in this Kingdom, in the Twelfth Year of the Reign of his late Majesty King George the First, Intitled, An Act to prevent the Fraudulent and Clandestine Importing of Goods; and also such parts of One other Act of Parliament made in this Kingdom, in the Seventh Year of his present Majesty's Reign, Intitled, An Act for Continuing and Amending an Act, Intitled, *An Act for the more Effectual Preventing several Frauds and Abuses Committed in His Majesty's Customs and Excise, and for Settling the Rates of Certain Goods and Merchandizes not Particularly Valued in the Bock of Rates*; and for Continuing and Amending, an Act, Intitled, An Act for the better Securing and Collecting His Majesty's Revenue; and also for Preventing Frauds in the Collection thereof; as are not altered by an Act of Parliament made in this Kingdom, in the Eleventh Year of his present Majesty's Reign, Intitled, An Act for Continuing and Amending several Laws heretofore made,

made, relating to His Majesty's Revenue, and the more Effectual Preventing the Running of Goods; and also so much of that part of One other Act of Parliament made in the Ninth Year of His present Majesty's Reign, Intitled, An Act for Continuing and Amending several Statutes now near Expiring, whereby it is Enacted, That where any Goods, Entiseable, shall be Unshipped or Landed out of any Vessel or Boat, not exceeding the Burthen of Fifteen five Tuns, not being in Leak or Wreck, before due Entry made of such Vessels or Boats, and of all the said Goods, at the Custom-House, or Place allowed for Landing, where such Vessel or Boat shall happen to Unship or Unlade, or at any unlawful Hours, or without the Knowledge, Privity, or Consent of the proper Officer or Officers who should have Attended the Unlading of such Goods, all such Vessels and Boats, together with their Tackle and Furniture, shall be Forfeited, which said Forfeiture may be Sued for, and Recovered in such Manner and Form, as is mentioned in an Act made in the Fourteenth Year of the Reign of King Charles the Second, Intitled, An Act for the Settling of the Excise or New Impost upon His Majesty, His Heirs and Successors, according to the Book of Rates therein inserted, with like Remedy of Appeal, as is not Altered or Repealed by an Act made

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CHAP. VI. **in the Twenty ninth Year of His Preſent Majeſty's Reign, Intitled,** An Act for Continuing and Amending ſeveral Laws heretofore made, relating to His Majeſty's Revenue, and for the more effectual Preventing of Frauds in His Majeſty's Cuſtoms and Exciſe; **and likewiſe ſuch Parts of One other Act of Parliament made in this Kingdom, in the Firſt Year of His Preſent Majeſty's Reign, Intitled,** An Act for the more effectual Preventing ſeveral Frauds and Abuſes committed in His Majeſty's Cuſtoms and Exciſe, and for Settling the Rates of certain Goods and Merchandizes, not particularly Valued in the Book of Rates, **as are not Altered or Repealed by an Act of Parliament, made in the Third Year of His Preſent Majeſty's Reign, Intitled,** An Act for the Encouragement of Tillage, and better Employment of the Poor; **and alſo for the more effectual putting in Execution an Act, Intitled,** An Act to Encourage the Draining and Improving of Boggs, and unprofitable low Grounds, and for Eaſing and Diſpatching the Inland Carriage and Conveyance of Goods from one Part to another within this Kingdom; and alſo for laying ſeveral Duties upon Coaches, Berlins, Chariots, Calaſhes, Chaiſes and Chairs, and upon Cards and Dice, and upon Wrought and Manufactured Gold and Silver Plate, Imported into, or Made in *Ireland*, **for the Purpoſes therein mentioned; and alſo,** for Repealing the Duties payable

payable upon the Exportation of Wool, Bay Yarn, and Woollen Yarn, out of this Kingdom for *England*; **and likewiſe ſuch parts of One other Act of Parliament made in this Kingdom, in the Fifth Year of his preſent Majeſty's Reign, Intitled,** An Act for the better Securing and Collecting His Majeſty's Revenue, **as are not Altered or Repealed by an Act of Parliament made in the Seventh Year of his preſent Majeſty's Reign, Intitled,** An Act for Continuing and Amending an Act, **Intitled,** An Act for the more effectual Preventing ſeveral Frauds and Abuſes committed in His Majeſty's Cuſtoms and Exciſe, and for Settling the Rates of certain Goods and Merchandizes, not particularly Valued in the Book of Rates; **And for Continuing and Amending an Act, Intitled,** An Act for the better Securing and Collecting His Majeſty's Revenue, and alſo for preventing Frauds in the Collection thereof, except ſo much thereof, as inflicts any Penalty upon any Perſon who ſhall Aſſault or Beat any Revenue Officer, or his Aſſiſtants, or who ſhall Reſcue or Carry away, or Procure to be Reſcued or Carried away any Exciſeable Goods; **And alſo ſuch parts of the ſaid Act, made in the Eleventh Year of his preſent Majeſty's Reign, Intitled,** An Act for Continuing and Amending ſeveral Laws heretofore made, relating to His Majeſty's Revenue, and the more effectual Preventing the Running of Goods, **as are not Altered by an Act of Parliament made in the Thirteenth**

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Year of his Preſent Majeſty's Reign, Intitled, An Act for Continuing and Amending ſeveral Laws heretofore made, relating to His Majeſty's Revenue, and the more effectual Preventing Frauds in His Majeſty's Cuſtoms and Exciſe; **And alſo by an Act of Parliament made in the Twenty third Year of the Reign of his Preſent Majeſty, Intitled,** An Act for Continuing and Amending ſeveral Laws heretofore made, relating to His Majeſty's Revenue, and for the more effectual Preventing of Frauds in His Majeſty's Cuſtoms and Exciſe; **And alſo ſuch Parts of the ſaid Act, made in the Thirteenth Year of his Preſent Majeſty's Reign, Intitled,** An Act for Continuing and Amending ſeveral Laws heretofore made, relating to His Majeſty's Revenue, and the more effectual Preventing of Frauds in His Majeſty's Cuſtoms and Exciſe, **as are not altered by an Act of Parliament made in the Fifteenth Year of his Preſent Majeſty's Reign, Intitled,** An Act for Continuing and Amending ſeveral Laws heretofore made, relating to His Majeſty's Revenue, and the more effectual Preventing Frauds in His Majeſty's Cuſtoms and Exciſe; **And alſo the ſaid Act, in the Fifteenth Year of his Preſent Majeſty's Reign, Intitled,** An Act for Continuing and Amending ſeveral Laws heretofore made, relating to His Majeſty's Revenue, and the more effectual Preventing Frauds in His Majeſty's Cuſtoms and Exciſe; **and**

likewiſe

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likewiſe ſuch Parts of One other Act of Parliament made in this Kingdom, in the Seventeenth Year of his preſent Majeſty's Reign, Intitled, An Act for Continuing and Amending ſeveral Laws heretofore made, relating to His Majeſty's Revenue, and for the more effectual Preventing of Frauds in His Majeſty's Cuſtoms and Exciſe, as are not Altered or Repealed by the ſaid Act, paſſed in the Twenty-third Year of His preſent Majeſty's Reign, Intitled, An Act for Continuing and Amending ſeveral Laws heretofore made, relating to His Majeſty's Revenue, and for the more effectual Preventing of Frauds in His Majeſty's Cuſtoms and Exciſe; And alſo ſuch Part of an Act made in the Nineteenth Year of His Majeſty's Reign, Intitled, An Act for Continuing and Amending ſeveral Laws heretofore made, relating to His Majeſty's Revenue, and for the more effectual Preventing of Frauds in His Majeſty's Cuſtoms and Exciſe, as are not Altered or Repealed by an Act, paſſed in the Twenty-third Year of his preſent Majeſty's Reign, Intitled, An Act for Continuing and Amending ſeveral Laws heretofore made, relating to His Majeſty's Revenue, and for the more effectual Preventing of Frauds in His Majeſty's Cuſtoms and Exciſe; And likewiſe ſuch Parts of another Act of Parliament made in this Kingdom, in the Twenty-firſt Year of his preſent Majeſty's Reign, Intitled, An Act for

CHAP. VI. Continuing and Amending several Laws heretofore made, relating to His Majesty's Revenue, and the more effectual Preventing of Frauds in His Majesty's Customs and Excise, **as are not Altered or Repealed by the said Act, made and passed in the Twenty-third Year of His Present Majesty's Reign, Intitled,** An Act for Continuing and Amending several Laws heretofore made, relating to His Majesty's Revenue, and for the more effectual Preventing of Frauds in His Majesty's Customs and Excise; **As also the said last recited Act, made in the Twenty-third Year of His Present Majesty's Reign, Intitled,** An Act for Continuing and Amending several Laws heretofore made relating to His Majesty's Revenue, and for the more effectual Preventing of Frauds in His Majesty's Customs and Excise; **As likewise the said Act, made in the Twenty-ninth Year of His Present Majesty's Reign, Intitled,** An Act for Continuing and Amending several Laws heretofore made, relating to His Majesty's Revenue, and for the more effectual Preventing of Frauds in His Majesty's Customs and Excise; **shall be and remain in full Force, for the Term of Two Years from the Twenty-fifth Day of March, One thousand seven hundred and fifty-eight, and from thence to the End of the then next Session of Parliament, and no longer. And that so much of an Act, passed in the Twenty-**

fifth

fifth Year of the Reign of his preſent Majeſty, Intitled, An Act for Continuing and Amending ſeveral Laws heretofore made, relating to His Majeſty's Revenue, and for the more effectual Preventing of Frauds in His Majeſty's Cuſtoms and Exciſe, as is not mentioned to be for Continuing any former Act or Acts, Clauſe or Clauſes, in any former Act or Acts, ſhall and may be Revived, and be of equal Force to all Intents and Purpoſes, as if the ſame, and every Clauſe and Paragraph thereof (except as aforeſaid) were expreſſly Enacted, and ſhall be and remain in full Force for Three Years from the Twenty-fifth Day of March, One thouſand ſeven hundred and fifty-eight, and from thence to the End of the then next Seſſion of Parliament, and no longer. CHAP. VI.

And whereas the Clandeſtine and Illegal Importation of Tea has of late greatly increaſed, to the great Detriment of his Majeſty's Revenue, and the fair Trader; Be it Enacted by the Authority aforeſaid, That from and after the Twenty-fifth Day of March, One thouſand ſeven hundred and fifty-eight, all Tea which ſhall be Seized and Condemned, for being Run, or intended to be Run into this Kingdom, ſhall, within ten Days after Condemnation (if there ſhall be no Ap-

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peal) and in Case of an Appeal, within five Days after the Sentence of Condemnation shall have been Affirmed, or the Appeal Dismissed, be Publickly and Openly Burned, in the Presence of the Collector, or Surveyor of the Port, or other Officer of the District where such Tea shall be Seized and Forfeited, to be for that Purpose named and appointed by the Chief Commissioners of his Majesty's Revenue; And in case such Collector, Surveyor, or other Officer, thereunto appointed as aforesaid, shall neglect, or refuse to attend, and cause such Tea to be Burned as aforesaid, every such Collector, Surveyor or other Officer, shall forfeit his Employment in the Revenue, and the Sum of Ten Pounds, to be Recovered by Civil Bill, before the Justice or Justices of Assize for the County wherein such Port or District lies, and in the County of Dublin before such Judge, or such of his Majesty's Council, as shall attend at the Quarter Sessions to be held for the said County, and in the County of the said City before the Recorder of the said City, in a Summary Way by Civil Bill, in the same Manner as the same might be Recovered before the Justices of Assize in the several Counties of this Kingdom by Virtue of this Act, by any Person who shall first Sue for the same, provided such Suit be Commenced

Commenced at the next Assizes or Ses- CHAP.
sions, or before the Recorder, within six VI.
Months after such Neglect or Refusal, and not otherwise.

And in Order that the Officers of His Majesty's Revenue, and other Persons Seizing such Tea, may not be deprived of the Reward to which they are Intitled, as the Law now stands, for Seizing of Tea Illegally Imported; Be it Enacted by the Authority aforesaid, That every Officer, or other Person, who shall Seize any Tea Clandestinely Imported into this Kingdom, without paying the Duties due and payable to His Majesty for the same, shall, upon the Condemnation and Burning such Tea, be paid by the Collector, or Head Officer of the District, out of the Revenue belonging to His Majesty, and out of the Revenue appropriated to the Use of the Hempen and Flaxen Manufactures of this Kingdom proportionably, a Sum of Money, which the said Collector, or other Head Officer of the Port or District where such Tea shall be Burned, shall Judge to be Equal in Value to one Moiety of the Tea so Seized and Forfeited as aforesaid, not exceeding Two Shillings per Pound for Green, and One Shilling and Six Pence per Pound for Bohea Tea.

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And be it further Enacted by the Authority aforesaid, That a Penalty of Twelve Shillings per Pound for Green, and Nine Shillings per Pound for Bohea Tea, over and above all other Penalties already Inflicted by Law, shall be, and are hereby Laid and Imposed on every Carrier, Hawker, Retailer, Grocer, or other Person in whose Custody Tea Clandestinely Imported shall be found, One Moiety thereof to the Use of His Majesty, His Heirs and Successors, the other Moiety to the Use of the Seizing Officer, or Informer.

And be it further Enacted by the Authority aforesaid, That every Revenue Officer who shall Secrete any Tea which shall be Seized for the Reasons aforesaid, or who shall by himself, or any other Person or Persons for him, Sell, or Expose to Sale, any Tea whatsoever, shall, over and above all other Penalties he is or may be liable to, by Virtue of any Law now in Being, Forfeit and Lose the Sum of Twenty Pounds Sterling, and also his Employment in the Revenue.

And

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And be it further Enacted by the Authority aforesaid, That all Contracts, made with any Person or Persons whatsoever, for Tea Clandestinely Imported, or to be Clandestinely Imported, shall be, and are hereby Declared and Adjudged to be Null and Void, and of no Effect, nor shall any Suit be thereupon Maintainable, in any Court of Law or Equity in this Kingdom.

And be it further Enacted by the Authority aforesaid, That all Boats and Wherries, in which any Tea intended to be Run, or Clandestinely Imported, shall be found, or out of which any Tea shall be cast into the Sea, in order to prevent the Seizing thereof, shall, on Condemnation of such Tea so found on Board, or due Proof made of such Tea being on Board, and afterwards cast into the Sea, be Seized, and publickly Burnt, in such Manner, and before such Persons, as is herein before Directed in Relation to Tea.

And whereas the Distillers of Spirits, of Aqua Vitæ, and other Strong Waters for Sale, notwithstanding the several Laws heretofore made to the Contrary, Conceal their Stills from the Officers of His Majesty's Revenue, and thereby avoid

CHAP. VI. the Payment of the Duty of Excise, Payable to his Majesty.

And whereas it has been found, that pernicious Druggers to Distill the said Liquors, in Stills or Alembicks of small Dimensions, have enabled them to Commit the said Frauds, and also to Distil the said Spirits, Aqua Vitæ, and other Strong Waters for Sale, in a Fraudulent Manner, of bad Materials, and Sell the same at a low Price, to the manifest Encouragement of Drunkennels, and all Sorts of Disorders, and to the great Detriment of the Health of His Majesty's Subjects; Be it Enacted by the Authority aforesaid, that from and after the Twenty fourth Day of June, which shall be in the Year of Our Lord One thousand seven hundred and fifty eight, no Person or Persons shall Distil for Sale, any Spirits, Aqua Vitæ, or Strong Waters within this Kingdom, but in Stills, Black pots, or Alembicks, which may hold or contain, at least Two hundred Gallons, upon Pain of Forfeiting such Still, and also the Sum of One hundred Pounds for every Offence, to be Recovered in Manner herein after mentioned.

Provided

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Provided allways, And be it Enacted by the Authority aforesaid, That any Person or Persons, who shall Distill Spirits, Aquæ Vitæ, or Strong Waters, for his, her, or their own Use only, and not for Sale, shall and may keep, and make Use of any Still, Black Pot, or Alembick, which shall hold or contain no greater or larger Quantity of Wash, or Pot Ale, than Twelve Gallons, in their respective Place of Abode; And if any Still, Black Pot, or Alembick, shall be found in the Custody of such Private Distiller, containing any larger Quantity of Wash, or Pot Ale, than as aforesaid; then, and in such Case, be it Enacted by the Authority aforesaid, That such Person shall be deemed a Common Distiller for Sale; and that it shall and may be Lawful, to and for the Person finding such Still, Black Pot, or Alembick, if the same shall not contain Two Hundred Gallons, to Seize the same.

And be it Enacted by the Authority aforesaid, That from and after the Twenty fourth Day of June, One thousand seven hundred and fifty eight, it shall and may be Lawful, to and for the Gauger or Gaugers, or other Officers of Excise in their respective Districts, to enter the Houses,

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Still-Houses, Store-Houses, Out-Houses, and all other Places whatsoever, of, or belonging to, any Distiller or Maker of Aqua Vitæ, Spirits, or Strong Waters, in which he or they shall Suspect any Still, Black Pot, or Alembick, not containing Two Hundred Gallons, to be Concealed, and to Seize the same.

And be it Enacted by the Authority aforesaid, That such Stills, Black Pots, or Alembicks, so Seized as aforesaid, shall be Broke in the Presence of the Principal Officer of the District in which such Still, Black Pot, or Alembick, shall be found; and that the Materials of which such Still, Black Pot, or Alembick, is made, shall be Sold for the Use of His Majesty, and the Person who shall Seize the same.

And whereas Claims are frequently made of Goods Seized by Persons who never appear after making such Claim, but leave the Kingdom, or the District where the Seizure was made, and cannot be found, so as to be Served with a Notice, or Summons for Trial, as the Law directs, by Reason whereof, several Parcels of Goods have Remained under Seizure for many Years, and until they perished, on Account of not being duly Condemned,

Condemned, to the Prejudice of His Ma- CHAP.
jesty and the Informer; VI.

For Remedy whereof, Be it Enacted by the Authority aforesaid, That in all Cases where a Seizure shall be made of any Goods or Merchandize, and a Claim shall be Tendered by the true and lawful Owner or Proprietor thereof, or by any Person deputed to make such Claim, under his or their Hand, that the Person or Persons Tendering such Claim or Claims, shall, at the Foot of their said respective Claims, mention some particular House within the District where the Goods are Seized, where Notices or Summonses shall be left, or served, and in Default thereof, that the Claim shall not be deemed legal, or received, but that it shall and may be lawful to proceed to the Condemnation of such Goods, in such Manner as by Law may now be done for Want of a Claim; and that all Notices or Summonses served or left for such Claimants with any Person above the Age of Sixteen Years, residing at such House as shall be so mentioned or expressed at the Foot of the said Claims, shall be Valid in Law, and as effectual, as if the Persons making such Claims were personally Served with such Notices or Summonses.

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Provided nevertheless, That due Proof shall be made of such Service, by the Affidavit of some credible Witness, who shall himself serve such Summons or Notice, and if it shall appear by such Affidavit as aforesaid, that no person Resided at such House, on whom such Notice or Summons could be Served, then, and in such Case, be it Enacted by the Authority aforesaid, That such Summons or Notice shall be Posted upon the Door of the said House, at least Eight Days before the Time appointed for the Determining the said Claim; And if the person making the said Claim, shall not Appear on the Day mentioned in the said Summons or Notice, for the Hearing the said Cause, then, and in such Case, be it Enacted by the Authority aforesaid, That it shall and may be lawful for the Chief Commissioners of His Majesty's Revenue, and their Sub-Commissioners, in their several and respective Districts, to Hear and Determine the said Cause, as if such Claimant had appeared.

And whereas it often happens, that the Claimants of Goods Seized by the Officers of His Majesty's Revenue, on the Condemnation thereof by the Chief Commissioners, or Sub-Commissioners, in their respective Districts, enter Appeals against such

such Judgment of Condemnation, in order to delay the Sale of such Goods, so Condemned as aforesaid, that they may thereby perish, and His Majesty and the Seizing Officer lose the Benefit of the said Seizure; CHAP. VI.

For Remedy whereof, be it Enacted by the Authority aforesaid, That all perishable Goods and Commodities, which shall be Seized by any of the Officers of His Majesty's Revenue, or other Person or Persons, and Condemned as aforesaid, shall and may be Sold, as the Law directs, at any Time after the Expiration of Twenty one Days after the Condemnation thereof, by Order of the Chief Commissioners of His Majesty's Revenue, or any Three or more of them, notwithstanding any Appeal brought, or to be brought from the said Sentence of Condemnation (Six Days Notice being previously given in Manner herein before mentioned) to the Claimant, or left for him at his or her usual Place of Residence, and an Affidavit being made of such Service or Notice, before One of the Commissioners of His Majesty's Revenue, or the Principal Officer of the Port or District, where, or within which such Goods shall be Seized, and the Produce, arising by or from such Sale, to be Accounted for, and Paid to such Person and Persons respectively, as shall be by Law intitled thereto, in Ten Days

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after the Time given by Law for Appealing shall be elapsed, or in Case of an Appeal, in Ten Days after the Sentence of Condemnation shall be Affirmed, or the Appeal Dismissed; And in Case of a Reversal of such Sentence of Condemnation, the Produce arising by or from such Sale, shall, in Ten Days after such Reversal, be Accounted for and paid to the Owner or Owners respectively, of the Goods so Seized and Sold as aforesaid, in full Satisfaction for the Goods so Seized.

And whereas the Laws heretofore made to prevent the Running of Goods from the Isle of Man, have proved ineffectual, and great Quantities of Goods are Run from the said Island into this Kingdom; And inasmuch as the Limits of the Ports of this Kingdom are not exactly Described, and the Runners of Goods from the said Island frequently Escape the Punishments to which they are subject by Law, by getting Persons to Swear, that their Boats, when Seized, were not within the Limits of a Port, to the great Detriment of His Majesty's Revenue, and the Fair Trader;

For Remedy whereof, be it Enacted by the Authority aforesaid, That all Goods bought from, or laden in the Isle of Man (not being of the Growth, Product, or Manufacture

nufacture of the said Island) in any Vessel or Boat belonging to any Port or Person residing in this Kingdom, as likewise such Vessel or Boat, in which the same shall be laden, and all her Tackle, Apparel and Furniture, shall, and may be Seized, Condemned and Forfeited, as the Law directs, in case such Goods had been Imported into this Kingdom, or such Boat or Vessel shall be found at Sea, at any Place within three Leagues of the Coast of this Kingdom, notwithstanding the same shall not be between any Head-Lands, or within the Limits of a Port within this Kingdom. GEO. II. C. VI.

And whereas a Doubt hath arisen, whether Linens made in Germany, or Silesia, and after Bleached in Holland, and Imported from thence into this Kingdom, are, or ought to be Rated and pay Duty as Holland Linen; For Remedy whereof, and for Obviating and taking away all such Doubts, Be it further Enacted and Declared by the Authority aforesaid, That all Linens made in Germany, or Silesia, and after Bleached in Holland, and Imported from thence into this Kingdom, shall be Rated as Holland Linen, and pay the Duties appointed by Law to be paid on the Importation of Holland Linen.

CHAP. IV.

And be it further Enacted by the Authority aforesaid, That all the Forfeitures and Penalties Inflicted by this Act, other than such as are otherwise by this present Act appointed, shall, and may be Sued for and Recovered, Seized and Applied in such Manner and Form, and by such Ways and Methods, and under such Regulations, and in such Time as are prescribed and appointed, in and by an Act of Parliament Made in the Fourteenth Year of the Reign of King Charles the Second, Intitled, An Act for the Settling of the Excise, or New Impost, upon His Majesty, His Heirs, and Successors, according to the Book of Rates herein Inserted, With the like Remedy of Appeal to the Party or Parties who shall think himself or themselves Aggrieved or Injured, as by the said Act is Provided.

Provided allways, and be it Enacted by the Authority aforesaid, That so much of this Act, as is not mentioned to be for Continuing any former Act or Acts, Clause or Clauses, in any former Act or Acts, shall continue only and be in Force for Two Years, from the Twenty-fifth Day of March, One thousand seven hundred and fifty-eight, and from thence till the End of the then next Session of Parliament, and no longer.

AN

CHAP. VII.

AN

ACT

FOR

Licenſing Hawkers and Pedlars, and for Encouragement of *Engliſh* Proteſtant Schools.

GII. R.



DUBLIN:

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CHAP. VII.

ACT

AN

ACT

FOR

Licensing Hawkers and Pedlars, and for Encouragement of *English* Protestant Schools.

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WHEREAS the Continuing the Encouragement formerly given to English Protestant Schools, will be of great Benefit to this Kingdom, and it is reasonable that some Publick Fund should be applied and set apart for that purpose;

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Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That from and after the Twenty fourth Day of June, One thousand seven hundred and fifty eight, until the Twenty fifth Day of June, One thousand seven hundred and fifty three, there shall be Answered and Paid unto His Majesty, His Heirs and Successors, by every Hawker, Pedlar, Petty Chapman, or any other Trading Person or Persons going from Town to Town, or to other Mens Houses, and Travelling either on Foot, or with Horse, Horses, or otherwise, within this Kingdom (except as herein after mentioned) carrying to Sell, or Exposing to Sale, any Goods, Wares, or Merchandizes, a Duty of Twenty Shillings by the Year; And that every Person so Travelling with a Horse, Als, or Mule, or any other Beast bearing or drawing Burthen, shall pay the Sum of Twenty Shillings by the Year, from the Twenty fourth Day of June, One thousand seven hundred and fifty eight, to the Twenty fifth Day of June, One thousand seven hundred and fifty, for each Horse, Als or Mule, or other Beast bearing or drawing Burthen, he or she shall

ſhall ſo Travel with, over and above the ſaid firſt mentioned Duty of Twenty Shillings by the Year, which ſaid Rates and Duties, ſhall be Collected by ſuch Perſon and Perſons, and in ſuch Manner, and by ſuch Ways and Means, as the Duty payable for Licences to keep Ale-Houſes is Raiſed and Collected, by Virtue of an Act made in this Kingdom, in the Eleventh Year of the Reign of His preſent Majeſty, Intitled, An Act for Continuing and Amending ſeveral Laws heretofore made, Relating to His Majeſty's Revenue, and the more Effectual Preventing the Running of Goods, as fully, to all Intents and Purpoſes, as if the Proviſions in the ſaid Act for that Purpoſe, were particularly Mentioned and Expreſſed and Enacted again in the Body of this preſent Act.

And be it further Enacted by the Authority aforeſaid, That every Pedlar, Hawker, Petty Chapman, and other Trading Perſon or Perſons, ſo Travelling as aforeſaid, ſhall, before the Twenty fifth Day of June, One thouſand ſeven hundred and fifty eight, and ſo likewiſe in every Year deliver, or cauſe to be delivered to the Collector of Excile of the Diſtrict where he or ſhe ſhall Reſide or Dwell, a Note in Writing, under his or her Hand, or under the Hand of ſome Perſon by her or him

CHAP. VII.

Authorized in that Behalf, how, and in what Manner, he or she intends to Travel and Trade, whether on Foot, or with one or more Horse or Horses, Ass or Asses, Mule or Mules, or other Beast or Beasts of Burthen, for his or her so Travelling and Trading; for which he or she, shall thereupon pay, or cause to be paid unto such Collector, the Yearly Duty herein before Directed to be payable for the same, and thereupon a Licence shall be granted unto him or her, so to Travel or Trade, by such Collector.

And be it further Enacted by the Authority aforesaid, That if any such Hawker, Pedlar, or Petty Chapman, from and after the said Twenty fourth Day of June, One thousand seven hundred and fifty eight, be found Trading as aforesaid, without, or contrary to such Licence, such Person, shall, for each and every such Offence, Forfeit the Sum of Five Pounds, one Moiety thereof to the Informer, and the other Moiety to the Incorporated Society in Dublin, for promoting English Protestant Schools.

And be it Enacted by the Authority aforesaid, That it shall and may be Lawful, to and for the said Collectors of the several Districts in this Kingdom respectively,

tively, and they are hereby reſpectively Directed, Appointed, and Required, upon the Terms aforeſaid, and upon the Receipt as aforeſaid, to grant a Licence, under their reſpective Hands, to every Hawker, Pedlar, Petty Chapman, or any other Trading Perſon, for him or herſelf, with one or more Horſes, Aſſes, Mules, or Beaſts which he or ſhe ſhall Travel with, as the Caſe ſhall require, for which Licence there ſhall be taken by ſuch Collectors for their own Uſe, one Shilling and no more, except ſuch Hawker, Pedlar, or Petty Chapman, ſhall Travel with Horſe, Aſs, or Mule, or other Beaſt of Burthen, and in that Caſe, there ſhall be paid unto ſuch Collectors, for their own Uſe, for ſuch Licence, two Shillings and no more, over and above the Duties aforeſaid; and that the ſaid Collectors ſhall keep ſeparate and diſtinct Accounts of the Duties hereby granted, and pay the Money ariſing thereby into His Majeſty's Treaſury, as other Money received by them for the Uſe of His Majeſty. CHAP. VII.

And be it further Enacted by the Authority aforeſaid, That the ſaid Collectors ſhall be accountable to His Majeſty for the Duties hereby Granted, and ſhall be Subject to the like Penalties and Forfeitures, for not Rendering a true Account there-

CHAP. VII.

thereof, and paying the same in Manner aforementioned, as they are and stand liable unto, for not rendering a true Account of any Money received by them for the Use of His Majesty.

And be it further Enacted by the Authority aforesaid, That the Monies arising from the said Duties hereby granted, shall from Time to Time be brought into the Receipt of His Majesty's Exchequer, and shall from Time to Time, without any Fee or Deduction whatsoever, be paid by the Vice Treasurer or Receiver General of this Kingdom, to the Incorporated Society in Dublin for promoting English Protestant Schools, or to their Treasurer for the Time being, for the Use of the said Incorporated Society.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons whatsoever shall Forge or Counterfeit, or Cause to be Forged or Counterfeited, any Licence or Licences for the Purposes aforesaid, or Travel with such forged or counterfeit Licence or Licences, knowing the same to be Forged or Counterfeited, such Person shall forfeit the Sum of Fifty Pounds, one Moiety thereof to the King, and the other Moiety to him who shall prosecute or sue for the same,

to

to be Recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record, at the Four Courts in Dublin, in which no Essoign, Protection, or Wager of Law, or more than one Imparlance, shall be allowed, and shall be subject to such other Pains and Penalties as may be inflicted on Persons for Forgery.

And be it Enacted by the Authority aforesaid, That if any Person or Persons shall be Sued, Molested, or Troubled, for putting in Execution any of the Powers contained in this Act, or for doing any Matter or Thing pursuant thereto, such Person or Persons shall and may Plead the General Issue, not Guilty, and give the Special Matter in Evidence; and if the Plaintiff or Plaintiffs shall be Nonsuited, or Judgment be given against him or them, upon Demurrer or otherwise, or a Verdict pass for the Defendant or Defendants, or a Dismiss upon a Civil Bill, such Defendant or Defendants shall have his, her, or their Treble Costs, to be Recovered in such Manner as where by Law Costs are given to Defendants.

And be it further Enacted by the Authority aforesaid, That if any Constable shall refuse or neglect, upon due Notice, or

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on his own View to be aiding and assisting in the Execution of this Act, being thereunto required, every such Constable being thereof convicted by the Oath of One or more credible Witness or Witnesses, before any Justice of the Peace for the County or Place where such Offence shall be committed, shall forfeit, for each and every such Offence contrary to this Act, the Sum of Forty Shillings, to be levied by Distress and Sale of the Offenders Goods, by Warrant under the Hand and Seal of such Justice of the Peace; One Moiety whereof to be paid to the said Incorporated Society, the other Moiety to the Informer who shall prosecute for the same, rendering the Overplus thereof to the Owner (if any be)

And be it further Enacted by the Authority aforesaid, That it shall and may be Lawful for any Person or Persons whatsoever, to seize and detain any such Hawker, Pedlar, Petty Chapman, or other Trading Person or Persons as aforesaid; and also the Goods they shall be found Trading with, until such Time as he, she, or they shall produce a Licence in that Behalf, if he, she, or they have any; and if he, she, or they shall be found Trading without a Licence, contrary to this Act, that it shall and may be Lawful

ful to and for such Person or Persons, so seizing as aforesaid, taking to his or their Assistance such Person or Persons as he or they shall think fit, to carry the Person so seized, as also the said Goods, before some one of His Majesty's Justices of the Peace of the County or Place, or before the Collector of His Majesty's Revenue for the District where such Offence or Offences shall be Committed; which said Justice of the Peace, and Collector respectively, are hereby strictly required, either upon the Confession of the Party offending, or due Proof of a Witness upon Oath, which they are hereby respectively impowered to Administer, that the Person so brought before him, had so traded as aforesaid, unless such Licence shall be produced, by such Offender, before the said Justice, or Collector, by Warrant under his Hand and Seal, to cause the Sum of Five Pounds to be forthwith levied by Distress and Sale of the Offender or Offenders Goods, Wares, or Merchandizes, rendering the Overplus (if any be) to the Owner or Owners thereof, after deducting the reasonable Charge for taking the said Distress, and out of the said Sale to pay the Penalty and Forfeiture aforesaid.

Provided allways, and be it Enacted by the Authority aforesaid, That this Act, or

CHAP. VII.

any thing herein contained, shall not extend to prohibit any person from Selling of any Acts of Parliament, Forms of prayer, Proclamations, Gazettes, Almanacks, or other printed Papers, or any Fish, Fruit, or Victuals; nor to hinder any Person or Persons, who are the real Workers, or Makers, of any Goods or Wares within this Kingdom, or his or their Wife or Wives, Apprentice or Apprentices, from carrying Abroad, Exposing to Sale, and Selling any of the said Goods and Wares of his, her, or their Making, in any publick Fairs, Markets, or elsewhere; nor any Tinker, Cooper, Glazier, Plumber, Harnels-Mender, or other persons usually Trading in Mending Kettles, Tubs, Houshold Goods, or Harnels whatsoever, from going about, or carrying with him or them proper Materials for Mending the same.

Provided also, and be it Enacted by the Authority aforesaid, That this Act, or any Thing herein Contained, shall not Extend to subject any Person or Persons who shall carry Raw and Unmanufactured Wool or Frizes, or Stockings made of Woollen Yarn, from one Part of the Kingdom to the other, or Expose the same to Sale in any Fair, Market, or other Place in this Kingdom, to any of the Duties or

Penalties

penalties herein before mentioned, so as such Perſon or Perſons ſhall not at the ſame Time Carry, or Expoſe to Sale any other Wares, Goods, or Merchandizes, except the ſaid Raw and Unmanufactured Wool, and the ſaid Friezes and Stockings made of Woollen Yarn. CHAP. LXI.

Provided alſo, and be it Enacted by the Authority aforeſaid, That this Act, or any Thing herein Contained, ſhall not Extend to Prohibit or Reſtrain any Perſon or Perſons from Selling or Expoſing to Sale, in any Place or Places whatſoever, any Flax, Tow, Hemp, Flaxen-Yarn, Hempen-Yarn, Ticken, Plain, Striped, Chequered, Painted, or Stained Linens, Bucktrams, or Canvals, as ſuch Perſon or Perſons ſhall not at the ſame Time Carry or Expoſe to Sale, any other Goods, Wares, or Merchandizes, except ſuch Flax, Tow, Hemp, Flaxen-Yarn, Hempen-Yarn, Tickens, plain, Striped, Chequered, Painted or Stained Linens, Bucktrams, or Canvals, as aforeſaid.

Provided alſo, and be it Enacted by the Authority aforeſaid, That this Act, or any Thing herein Contained, ſhall not Extend to ſubject any Perſon or Perſons who ſhall Carry any Pots or Griddles, made of Caſt-

CHAP. VII.

Iron Metal, from one part of the Kingdom to another, or Expose the same to Sale in any Fair, Market, or other place in this Kingdom, to the Payment of any greater Duty than the Sum of Twenty Shillings by the Year in the Whole, although such Person or Persons shall or may Trade or Travel with One or more Horse or Horses, or other Beast or Beasts Drawing or Bearing Burthen, so as such Person or Persons shall not, at the same Time, Carry, or Expose to Sale, any other Goods, Wares, and Merchandizes, except the said Pots and Griddles, made of Cast-Iron Metal.

Provided also, and be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for the Commissioners of His Majesty's Revenue, or any Three or more of them, for the Time being, to Order and Direct to be paid out of the Monies Raised by this Act, to the said Collectors, their Clerks, or any other Persons, such Sums of Money as They, or any of them, shall or may reasonably Deserve for their Service, or shall or may have Expended in the Execution of, or in Relation to this Act.

Provided

CAP. VII.

Provided also, and be it further Enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not Extend, or be Construed to give any Power for Licensing any Hawker, Pedlar, or petty Chapman, to Sell, or Expose to Sale, any Wares or Merchandizes in any City, Borough, Town Corporate, or Market-Town, within this Realm, any otherwise than he or she might have done before the Making of this Act; any Thing herein contained to the contrary, in any wise, notwithstanding.

And for the further Encouragement of English Protestant Schools, be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for every Archbishop, Bishop, and to and for every Dean, Archdeacon, Dignitary, Prebendary, Rector, Vicar, and Ecclesiastical Person whatsoever, with the Consent of the Archbishop or Bishop, signified under the Hand and Seal of such Archbishop and Bishop respectively, and to and for every Person, being Seized of an Estate for Life, in Possession of any Land, with immediate Remainder over to his Issue in Tail by Deed or Deeds, respectively, to Grant in Possession absolutely, or in Fee Farm, any Quantity of Land, to them

CHAP. VII.

respectively belonging, not exceeding Two Acres Plantation Measure, to the said Incorporated Society, and their Successors for ever; and that all Lands so to be Made, shall be good and effectual against the Successors of such Archbishop, Bishop, Dean, Archdeacon, Dignitary, Prebendary, Vicar, Vicars and other Ecclesiastical persons respectively, and against all persons claiming, or to Claim any Estate, Right, Title, or Interest in such Land, by Licence or under any Limitation, Remainder, or Reversion, expectant upon such Estate for Life.

AN

CHAP. VIII.

AN

ACT

TO

Prohibit Saleſmen from being Graziers, and to Redreſs ſeveral Abuſes in Buying and Selling Cattle and Meat.

GII R



DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's-Arms* and *Two Bibles* in *Eſſex-Street*. MDCCLVIII.

CAP.
VIII.

AN

ACT

TO

Prohibit Salesmen from being Gra-
ziers, and to Redress several A-
buses in Buying and Selling Cattle
and Meat.

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DUBLIN:

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CHAP. VIII.

AN ACT TO

Prohibit Saleſmen from being Graziers, and to Redreſs ſeveral Abuſes in Buying and Selling Cattle and Meat.

CHAP. VIII.

WHEREAS great Inconveniencies happen by Saleſmen being Graziers, and by their Engroſſing Cattle to ſell again; For Remedy whereof, be it Enacted by the King's Moſt Excellent Majeſty, by

CHAP. VIII.

CHAP. VIII.

and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That no Person or Persons, taking upon him or them to sell Cattle or Sheep in the Market of Smithfield in Dublin, and commonly known by the Name of Salesmen, shall from and after the First Day of May, in the Year of our Lord One thousand seven hundred and fifty eight, Use or Exercise the Occupation of a Grazier, or shall hold or keep any Land in his or their possession, or in the possession of any other Person or Persons to his or their Use, or in Trust for him or them, or for his or their Benefit, for the Grazing or Feeding of any Oxen, Colts, Sheep, or other Cattle whatsoever, on pain that such Salesman, and the Person or Persons so possessed as aforesaid, shall severally Forfeit, for every Week that he or they shall Offend therein, the Sum of Five Pounds Sterling, to be paid to the Informer, and to be Recovered with full Costs by Civil Bill in such Courts where Proceedings by Civil Bill may by Law be had, or by Action of Debt, Plaint, or Information, in any of His Majesty's Courts of Record in Dublin, in which no Protection, Wager of Law, or Essoign, shall be allowed, or more than one Imparlance,

lance, or upon Conviction, by Confeſſion of the party, or by the Oath of one or more Credible Witneſs or Witneſſes before the Lord Mayor of the City of Dublin for the time being, or before the Seneſchal of the Manors or Liberties of Saint Sepulchre's, Thomas-Court and Donore, within their reſpective Juriſdictions, or where there ſhall be no ſuch Magiſtrate, before one or more Juſtice or Juſtices of the Peace of the County where ſuch Offence ſhall be Committed, to be Levied by Way of Diſtreſs and Sale of the Goods and Chattels of every ſuch Offender, by Warrant from the ſaid Lord Mayor, Seneſchal or Seneſchals, Juſtice or Juſtices before whom ſuch Conviction ſhall be made, returning the Overplus, where there ſhall be any. CHAP. VIII.

And Whereas by an Act of Parliament made in this Kingdom, in the Second Year of the Reign of her late Majeſty Queen Anne, It is amongſt other Things Enacted, in the Words following, viz. *And it is hereby further Enacted and Provided, That no Perſon or Perſons Uſing or Exerciſing the Trade, Craft, or Myſtery of a Butcher, within the City of Dublin, or within Five Miles thereof, ſhall, from and after the Firſt Day of* May *next enſuing, ſell any Fat Oxen, Steers, Cows, Sheep, Calves, or Lambs, either Alive or Dead, to any other Perſon or Perſons Uſing or Exerciſing the ſame Trade or Myſtery of a*

CHAP. VIII.

Butcher, on Pain of Forfeiting double the Value of all such Oxen, Steers, Cows, sheep, Calves or Lambs, so Sold by him or them to any other Butcher, contrary to the true Intent and Meaning of this Statute; the One Moiety of which Forfeiture shall be to the Queen's Majesty, Her Heirs and Successors, the other Moiety to him that will Sue for the same.

And whereas the said in part recited Act of Parliament, has not Answered the Good End for which it was Intended, and great Mischief is Occasioned, by Butchers selling Cattle and Meat to other Persons who Sell the same again; Be it enacted by the Authority aforesaid, That if any Butcher, or Person exercising the Trade of a Butcher in Dublin, or within ten Miles thereof, or any other Person that shall Kill or Slaughter, or Cause to be Killed or Slaughtered, any Oxen, Colts, Sheep, Calves, or Lambs, shall knowingly Sell the same, or any part thereof, to any other Butcher, or Person or Persons that shall Sell or Retail the same again, or Expose it to be Retailed or Sold again, or in Trust, or for the Use or Benefit of any Butcher, or other Person or Persons, that shall Retail or Sell the same again, or Expose it to be Retailed or Sold again, the Person or Persons so Selling, as well as the Person or

Persons

perſons ſo Buying and Selling, or Expoſing to Sale again, ſhall ſeverally Forfeit the Sum of Five pounds for every ſuch Offence, to be paid to the Informer and to be Recovered in Manner aforeſaid, with full Coſts. CHAP. VIII.

And whereas it is a Common Practice with the Butchers of Dublin, to go into the Country, and Buy fat Lambs and Calves, and alſo to Buy fat Lambs and Calves on the Roads to Dublin, which is the Chief, if not the only Cauſe of the Exorbitant Price of Veal and Lamb in the Markets of Dublin; Be it Enacted by the Authority aforeſaid, That no Butcher exerciſing his Trade in Dublin, or other Perſon for his Ule or Benefit, ſhall Buy, or Agree, or Contract for any fat Calf or Calves, Lamb or Lambs in the Country, or upon any of the Roads to Dublin; and that all Calves and Lambs that are to be Sold by Retail in any of the Markets, commonly called Meat Markets, in Dublin, ſhall be Sold openly in the Market of Smithfield in Dublin, at the Times appointed by Law, for the Sale of Cattle therein, and ſhall not be Sold, Agreed, or Contracted for at any other Place, or at any other Time; and that if any Perſon ſhall Buy, or Sell, or Agree, or Contract for any Calf or Lamb, contrary to the true

CHAP. VIII.

Intent and Meaning hereof every such Person shall severally, for every such Offence, forfeit the Sum of Five Pounds, to be paid to the Informer, and to be recovered in Manner aforesaid, with full Costs.

And to the End that this Act may be effectually carried into Execution, be it Enacted by the Authority aforesaid, That any Person may file an English Bill or Information, in any of his Majesty's four Courts in Dublin, against any Person or Persons that shall Offend, or that he shall have reasonable Ground to suspect of Offending, contrary to this Act, and the true Meaning thereof; and also against any Person or Persons that shall Suspect to be Privy to such Offence, in Order to the better Discovery of the said several Offences; to which Bill or Information, the Party or Parties, against whom the same shall be filed, shall give in a full Answer upon Oath, and not plead or Demur; and if such Person or Persons shall Forswear him or themselves in such Answer, the Person so forswearing himself shall be Guilty of Perjury, and upon Conviction thereof, shall suffer Punishment, as in Case of Wilful and Corrupt Perjury.

Provided

Provided allways, that such Answer shall not be Evidence against the Person putting in the same, or be in any ways made Use of to subject him to any of the Penalties of this Act.

Provided allways, that where any Action or Suit, founded upon this Act, shall be brought or commenced, and the said Suit or Action shall appear to the Court, where the same shall be brought, to be Groundless and Vexatious, the said Court may award reasonable Costs, for the Defendant or Defendants, in such Action or Suit.

Provided nevertheless, and it is hereby Declared, That no Person or Persons shall be Sued or Troubled for any Offence or Offences done, or Supposed to be done or Committed against this Act, unless such Prosecutions shall be Commenced, or Begun, within Nine Kalendar Months next after the said Offence or Offences are Committed.

CAP. VIII.

AN

ACT

FOR

Reviving, Continuing, and Amending, ſeveral Temporary Statutes.



DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's Arms* and *Two Bibles* in *Eſſex-Street*. MDCCLVIII.

AN

ACT

FOR

Reviving, Continuing, and Amending, several Temporary Statutes.

DUBLIN:

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Printer to the King's most Excellent Majesty, at the King's
Arms and Two Bibles in Essex-Street. MDCCLVIII.

AN ACT FOR Reviving, Continuing, and Amending several Temporary Statutes.

CHAP. IX.

WHEREAS in the Parliament begun and holden at Westminster, in the Eighth Year of the Reign of Her Majesty Queen Anne, Intitled, An Act for Explaining and Amending an Act, Intitled, An Act to Prevent the further Growth of Popery, so far as it relates to the Encouragement to

CHAP. IX. Popish Priests becoming Protestants, is now Expired.

And whereas it is found by Experience, that that part of the said Recited Act, so far as it Relates to the Encouragement to Popish Priests becoming Protestants, is Useful, and Proper to be Revived, be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament Assembled, and by the Authority of the same, that the said Recited Act, so far as it Relates to the Encouragement to Popish Priests becoming Protestants, and all and every the Clauses, Articles, and Provisoes therein contained, shall be, and are hereby Revived and Continued in Force, for the Term of Eleven Years, and from thence to the End of the then next Session of Parliament.

CHAP. IX.

And whereas an Act passed in this Kingdom, in the Ninth Year of His Present Majesty's Reign, Intituled, An Act for the more Effectual Assigning of Judgments, and for the more Speedy Recovery of Rents by Distress, which was to continue until the first Day of May, in the Year of Our Lord, One thousand seven hundred and forty, and from thence to the End of the

then

then next Session of Parliament; and which was further Continued by subsequent Acts Passed in this Kingdom, until the Year One thousand seven hundred and fifty five, and which was also further Continued by an Act passed in this Kingdom, in the Twenty ninth Year of His Present Majesty's Reign, Intitled, An Act for Reviving, Continuing, and Amending, several Temporary Statutes, for the Term of Eleven Years, so far as it relates to the Assigning of Judgments. CHAP. IX.

And whereas it is found by Experience, that the other Parts of the said recited Act, of the Ninth Year of his Present Majesty's Reign, are Useful and Proper to be Continued, be it Enacted by the Authority aforesaid, That the said recited Act of the Ninth Year of His Present Majesty's Reign, and all and every the Clauses, Articles, and Provisoes therein Contained, shall be, and the same are hereby Continued in Force for the Term of Eleven Years, and from thence to the End of the then next Session of Parliament.

And whereas an Act passed in this Kingdom, in the Twenty fifth Year of his Present Majesty's Reign, Intitled, An Act for the better Preservation of the Game; which said Act was Revived and Continued by

CHAP. IX. an Act Made in the Twenty ninth Year of his Present Majesty's Reign, Intitled, An Act for Reviving, Continuing, and Amending, several Temporary Statutes, for Two Years, and from thence to the End of the then next Session of Parliament:

And whereas it is thought proper, that the said Act shall be Continued, with some Amendments; be it Enacted by the Authority aforesaid, That the said recited Act, and all and every the Clauses, Articles and Provisoes therein, and the Clauses herein after Contained, shall be, and the same are hereby Continued in full Force for the Term of Two Years, and from thence to the End of the then next Session of Parliament, and no longer.

And be it Enacted by the Authority aforesaid, That the Killing and Destroying of Wild Turkies, shall be subject and liable to the same Penalties and Forfeitures, that the Destroying of Pheasants, Partridge, and Quails, are made liable to, by Virtue of the said recited Act.

And whereas an Act Passed in this Kingdom in the Twenty fifth Year of his Present Majesty's Reign, Intitled, An Act for Buying and Selling all Sorts of Corn and Meal, and other Things therein mentioned, by Weight,

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Weight, and for the more effectual Preventing the Frauds committed in the Buying and Selling thereof, it is amongst other Things Enacted, That from and after the First Day of May, One thousand seven hundred and fifty two, all Inn-keepers, and every other Person and Persons, who should Weigh for Hire or Price, either in Money or Drink, or other Gratuity, at any private Scales Erected by them, any Butter, Tow, or Grain, Hides, Talloth, Meal, or Potatoes, exposed to Sale in the Markets, not being their own Goods or Property, should, for each and every Draft by them so Weighed, forfeit the Sum of Two Shillings and Six Pence.

And whereas, notwithstanding the said Act, many Inn-keepers and other Persons within the City of Dublin, and the adjacent Liberties, have taken upon them to Erect Private Scales, and to Weigh Butter, Cheese, Hides, Talloth, Meal, Potatoes, and other Goods for Hire, or other Gratuity, which they Receive in so Clandestine and Private Manner, that it is very difficult, in many Cases, to make Proof thereof.

And whereas such Private Scales are of great Detriment to the Publick, by Reason of false and unstatuteable Weights

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made Use of by the Inn-keepers and other persons, whereby the Buyers are greatly Imposed on, and the Markets of the said City and adjacent Liberties, are Forestalled, by the Unlawful Practices of the said Inn-keepers, and other persons, who keep such private Weigh-Houses;

For Remedy whereof, be it Enacted by the Authority aforesaid, That from and after the First Day of May, One thousand seven hundred and fifty-eight, all Inn-keepers, and every other person or persons, who shall Weigh, or cause to be Weighed, at any Scales in the City of Dublin, or the Liberties of Saint Sepulchre's, Saint Thomas-Court and Donore, except the publick Houses, and Scales, appointed by Act of parliament, in the said City and Liberties, any Butter, Cheese, Hides, Tallow, Meal, Bacon, Potatoes, or other Goods, brought from the Country, in Order to be Sold, or Exposed to Sale in the said City, or Liberties respectively, not being the Goods or Property of the person or persons so Weighing the same, shall, for every Draught so Weighed by them, Forfeit the Sum of Ten Shillings, which Forfeitures shall be Recovered before the Lord Mayor of the said City of Dublin, and Seneschals of the said Liberties, in their respective Jurisdictions, by Confession

of

of the Parties, or Proof thereof made on Oath of One or more Witness or Witnesses (which Oath, or Oaths, the said Lord Mayor and Seneschals are hereby respectively Impowered to Administer) and upon Conviction, the said Forfeitures shall be Levied by Warrant under the Hands and Seals of the said Lord Mayor and Seneschals respectively, by Distress and Sale of the Offenders Goods, and which said Forfeitures, when Recovered, shall be Paid to the Informer.

And be it further Enacted by the Authority aforesaid, That from and after the said first Day of May, all Persons whatsoever, who shall bring any Butter, Cheese, Hides, Tallow, Meal, Bacon, Potatoes, or other Goods, to be Sold, or Exposed to Sale, by Weight, in the said City of Dublin, or the said Liberties, shall bring the same, before they are Exposed to Sale, to One of the Publick Weigh-Houses, Erected in the said City and Liberties, there to be Weighed by the lawful Weigh-Master, or his Deputy, and the said Weigh-Master, or his Deputy, shall Enter the Weight of the same in a Book which they shall keep for that purpose, and shall Deliver the Buyer or Seller of said Goods, a Copy of the same; and every Person and Persons who shall Buy or Sell any Butter, Cheese,

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Hides, Tallow, Meal, Bacon, or other Goods, which shall be brought from the Country to be Sold in the said City or Liberties, at any other Place than the Publick Weigh-Houses in the said City and Liberties before mentioned, shall, for every Draught by them so Bought or Sold, respectively, Forfeit the Sum of Ten Shillings, to be paid to the Informer, which said Forfeitures shall be Recovered in Manner herein before Directed.

And whereas many Frauds have been Committed by Toll-Gatherers and Receivers of Toll;

For Remedy whereof, be it Enacted by the Authority aforesaid, That from and after the said First Day of May, One thousand seven hundred and fifty eight, all Toll of any Corn, Grain, Meal, and Flour, shall be taken by Weight, and not by Measure, and that any Person or Persons, who shall Take or Gather Toll of any Corn, Grain, Meal, or Flour, otherwise than by Weight, shall, for every such Offence, Forfeit the Sum of Five Pounds, to be Recovered, upon due Proof upon Oath before the Chief Magistrate of the Place, or Justice of the Peace of the County where the Offence shall be Committed, or by Civil Bill, at the Assizes or Quarter-

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Seſſions of the County of Dublin (which Oath ſuch Chief Magiſtrate, and Juſtice of the Peace are hereby Impowered to Adminiſter) and by Warrant under their Hands and Seals, to Levy the ſaid Forfeitures by Sale of the Goods and Chattels of the Perſon ſo Offending, One Moiety of which Forfeiture ſhall go to the Incorporated Society for Promoting Engliſh Proteſtant Schools in Ireland, and the other Moiety to the Informer.

And be it further Enacted by the Authority aforeſaid, that the ſaid recited Act of the Twenty fifth Year of His preſent Majeſty's Reign, and all and every the Clauſes, Articles, and Proviſoes therein and herein Contained, ſhall be, and are hereby Continued in Force for the Term of Seven Years, and from thence to the End of the then next Seſſion of Parliament.

And whereas an Act paſſed in the Twenty-fifth Year of His preſent Majeſty's Reign, Intitled, An Act for the more effectual Execution of Orders of the Courts of Juſtice, for giving and quietting Poſſeſſions; and alſo for the more effectual bringing to Juſtice ſuch Perſons as ſhall inliſt His Majeſty's Subjects, to ſerve as Soldiers in Foreign Service, without Licence; Be it Enacted by the Authority aforeſaid, That the ſaid Recited Act, and all and

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every the Clauses, Articles, and Provisoes, therein contained, shall be, and are hereby continued in Force for Seven Years, from the First Day of June, One thousand seven hundred and fifty eight, and to the End of the then next Session of Parliament.

And whereas by an Act passed in the Fourth Year of the Reign of His Late Majesty King George the First, Intitled, An Act for Vesting in His Majesty, His Heirs and Successors, the several Lands, Tenements, and Hereditaments whereon the Barracks, in this Kingdom, are Built or Building, or Contracted for; and whereon Light-Houses are, or shall be Built; and for making reasonable Satisfaction to the several Owners and Proprietors of the same; and likewise for Amending an Act made in the Sixth Year of Her Late Majesty Queen *Anne's* Reign, Intitled, An Act to prevent the Disorders that may happen by the Marching of Soldiers, and for Providing Carriages for the Baggage of Soldiers in their March; It is among other Things Enacted, That it shall and may be Lawful to and for the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom, for the Time Being, by one or more Commission or Commissions under the Great Seal of Ireland, to be Executed and Returned within the Term of Seven Years, from and after the Twenty-

Twenty-fifth Day of December, One thou- CHAP.
sand seven hundred and seventeen, to au- IX.
thorize and appoint Commissioners to ex-
ecute the Powers thereby given, in Rela-
tion to the Purchasing of Grounds for the
Building of Barracks and Light Houses,
and for several other Purposes relating
thereto, which said Act has been from
Time to Time continued,

And whereas an Act passed in the Twenty-first Year of his present Majesty's Reign, Intitled, An Act to Amend and Make more effectual an Act passed in the Fourth Year of the Reign of His Late Majesty King *George* the First, Intitled, An Act for Vesting in His Majesty, His Heirs and Successors, the several Lands, Tenements and Hereditaments, whereon the Barracks, in this Kingdom, are Built or Building, or Contracted for, and whereon Light-Houses are or shall be Built, and for making reasonable Satisfaction to the several Owners and Proprietors for the same; and likewise for Amending an Act made in the Sixth Year of Her Late Majesty's Reign, Intitled, An Act to prevent the Disorders that may happen by the Marching of Soldiers, and for providing Carriages for the Baggage of Soldiers in their March, whereby, after Reciting the said former Act, and that it may be

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found necessary to Build new Barracks, a Power is given to the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom, for the Time Being, to execute the Powers given to them by the said Act; and a Power is also given by the said Acts, to Bodies Politick and Corporate, Ecclesiastical or Civil, Tenants in Tail, Tenants for Life, Infants by their Guardians, and other Persons therein mentioned, to Sell or Dispose of, or to Contract with, and effectually to Convey or Demise to His Majesty, his Heirs and Successors, or to such Person or Persons, as the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom, should appoint, any Lands, or Tenements necessary or convenient for Making or Erecting such new Barrack or Barracks.

And whereas the said Acts are near expiring, and are fit to be Revived and Continued; Be it therefore Enacted by the Authority aforesaid, That so much of the said Recited Acts, as relates to the Impowering Bodies Politick and Corporate, Ecclesiastical or Civil, Tenants in Tail, Tenants for Life, Infants by their Guardians, and Committees of Lunaticks and Ideots, and Feme Coverts with their Husbands,

Husbands, to Sell or Dispose of, or to Contract with, and to Convey or Demise to His Majesty, His Heirs and Successors, or to such Person or Persons, as the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom should appoint, any Lands or Tenements necessary or convenient, for the Erecting such Barrack or Barracks, and for the Erecting Light-Houses; and also so much of the said Recited Acts as relates to the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom, appointing Commissioners for Executing the Powers given them by the said Acts, shall and may be continued until the Twenty-fifth Day of March, which shall be in the Year of Our Lord, One thousand seven hundred and sixty eight, and from thence till the End of the then next Session of Parliament. CHAP. IX.

And whereas an Act passed in the Fifth Year of the Reign of His present Majesty, Intitled, An Act for the better Regulation and Government of Seamen in the Merchants Service; which said Act is expired, and the same being found Useful, is fit to be Revived; Be it Enacted by the Authority aforesaid, That the said Recited Act,

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and all and every the Articles, Clauses, and Provisoes therein Contained, shall be, and are hereby Revived and Continued in full Force, for the Term of Two Years, and from thence to the End of the then next Session of Parliament.

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AN

ACT

FOR

The more effectual Preventing of Frauds and Abuſes Committed by Perſons employed in the Manufacture of Hats, and in the Fuſtian, Cotton, Iron, Furr, Woollen, Mohair, and Silk Manufactures of this Kingdom; and for Continuing and Amending an Act made in the Seventh Year of His Preſent Majeſty's Reign, Intitled, *An Act to Prevent Frauds and Abuſes in Bay-Yarn Exported to* Great Britain.



DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's-Arms* and *Two Bibles* in *Eſſex-Street*. MDCCLVIII.

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AN

ACT

FOR

The more effectual Preventing of Frauds and Abuses Committed by Persons employed in the Manufacture of Hats, and in the Fulling, Cotton, Iron, Fur, Woollen, Mohair, and Silk Manufactures of this Kingdom; and for Continuing and Amending an Act made in the Seventh Year of His Present Majesty's Reign, Intitled, An Act to Prevent Frauds and Abuses in Exportation to Great Britain.

DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Most Excellent Majesty, at the King's-Arms and Two Bibles in Eglis-Street. MDCCLVIII.

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ACT

FOR

The more effectual Preventing of Frauds and Abuses Committed by Persons Employed in the Manufacture of Hats, and in the Fulling, Cotton, Iron, Furr, Woollen, Mohair, and Silk Manufactures of this Kingdom; and for Continuing and Amending an Act made in the Seventh Year of His Present Majesty's Reign, Intitled, *An Act to prevent Frauds and Abuses in Bayes Exported to Great Britain.*

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WHEREAS many Frauds and Abuses are daily Committed by Persons Employed in the Manufacturing up of the Fustian, Cotton, Furr, Iron, Woollen, Mohair, and Silk Manufactures,

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tures, and in the Manufacture of Hats in this Kingdom, by Imbezzling and purloining the Materials and Working-Tools with which they are intrusted, to the great Prejudice of Trade and Commerce;

Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this Present Parliament Assembled, and by the Authority of the same, That from and after the First Day of May, One thousand seven hundred and fifty eight, if any Person or Persons whatsoever, who shall be Hired or Employed to Make any Felt, or Hat, or to Prepare or Work up any Fustian, Cotton, Furr, Iron, Woollen, Mohair, or Silk Manufactures, or any Manufactures made up of Cotton, Furr, Wool, Mohair, or Silk, or of any of the said Materials Mixed one with another, shall Purloin, Imbezzel, Secrete, Sell, Pawn, Exchange, or otherwise unlawfully Dispose of, any of the Materials with which he, she, or they, shall be respectively Intrusted, whether the same, or any part thereof, be or be not first Wrought, Made up, Manufactured, or Converted into merchantable Wares, or shall Secrete, Sell, Pawn, Exchange, or otherwise unlawfully

lawfully Diſpoſe of the Working Tools, with which he, ſhe or they, ſhall be reſpectively Intruſted, and ſhall be thereof Lawfully Convicted, by the Oath (or, if the Owner thereof be of the People called Quakers, Solemn Affirmation) of the Owner of ſuch Goods or Materials, or by the Oath or Affirmation of any other Credible Witneſs or Witneſſes, or by the Confeſſion of the Perſon or Perſons charged with ſuch Offence, before any One or more Juſtice or Juſtices of the Peace of the County, Diviſion, City, Liberty, Town, or Place where ſuch Offence ſhall be Committed, or where the Perſon or Perſons ſo Charged ſhall Reſide or Inhabit (which Oath or Affirmation, the ſaid Juſtice or Juſtices, is, and are hereby Impowered and Required to Adminiſter) it ſhall and may be Lawful, to and for the ſaid Juſtice or Juſtices, by Warrant under his or their Hand and Seal, or Hands and Seals, to Commit the Perſon or Perſons ſo Convicted, to the Houſe of Correction, or other Publick Priſon of ſuch County, Diviſion, City, Liberty, Town, or Place, there to be kept to Hard Labour for the Space of Fourteen Days; and alſo to Order the Perſon or Perſons ſo Convicted, to be once publickly Whipt at the Market Place, or ſome other Publick Place of the City, Town, or Place, where ſuch Offender or Offenders

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shall be respectively Committed; and in Case of a further Conviction, in Manner before Prescribed by this Act, for, or upon a Second or other subsequent Offence of the same Kind, it shall and may be Lawful, to and for the Justice or Justices, before whom such Conviction shall be had, to Commit the Person or Persons, so again Offending, to the House of Correction, or other Publick Prison as aforesaid, there to be kept to hard Labour for any Time not exceeding Three Months, nor less than One Month; and also to Order the Person or Persons, so again Offending, to be Publickly Whipt at the Market Place, or some other Publick Place of the City, Town, or Place where such Offender or Offenders shall be respectively Committed, Twice or oftner, as to such Justice or Justices shall appear Reasonable.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons, shall Buy, Receive, Accept, or Take by way of Gift, Pawn, Pledge, Sale, or Exchange, or in any other Manner whatsoever, of, or from any Person or Persons, Hired or Employed to make any Felt or Hat, or to prepare or Work up, any Fustian, Cotton, Furr, Iron, Woolen, Mohair, or Silk Manufactures, or any Manufactures made up of Cotton, Furr, Wool, Mohair, or Silk, or of any of the said

ſaid Materials, Mixed with one another, any Thrums or Ends of Yarn, or any other Materials of Furr, Cotton, Iron, Wool, Mohair, or Silk, whether the ſame, or any Part thereof, be, or be not firſt Wrought, Made up, or Manufactured, or any Working Tools belonging to the ſaid Manufactures, knowing the Perſon or Perſons, of whom he, ſhe, or they, do Buy, Receive, Accept, or Take the ſaid Goods or Materials, to be Hired, or Employed, and Intruſted as aforeſaid, and not having firſt Obtained the Conſent of the Perſon or Perſons, ſo Hiring, or Employing and Intruſting him, her, or them, who ſhall Offer to Sell, Pawn, Pledge, Exchange, or otherwiſe Diſpoſe of the ſaid Goods or Materials, or ſhall Buy, Receive, Accept, or Take, in any Manner whatſoever, of, or from any other Perſon whatſoever, any of the ſaid Materials, whether the ſame, be or be not, firſt Wrought, Made up, or Manufactured, or the ſaid Working Tools, knowing the ſame to be ſo Purloined or Imbezzled, then, and in every ſuch Caſe, the Perſon or Perſons ſo Buying, Receiving, Accepting, or Taking any ſuch Goods or Materials, or Working Tools, being thereof Lawfully Convicted in Manner before Preſcribed for the Conviction of Perſons Purloining or Imbezzling the ſaid Goods or Materials,

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ſhall, for the firſt Offence, Forfeit the Sum of five Pounds; and in Caſe the ſaid Forfeitures ſhall not be immediately paid, the Juſtice or Juſtices, before whom ſuch Conviction ſhall be had, ſhall Commit the Party or Parties ſo Convicted, to the Houſe of Correction, or other Publick Priſon, as aforeſaid, there to be kept to hard Labour, for the Space of Fourteen Days, unleſs the ſaid Forfeiture ſhall be ſooner paid, and if within Two Days before the Expiration of the ſaid Fourteen Days the ſaid Forfeiture ſhall not be Paid, the ſaid Juſtice or Juſtices, is, and are hereby Impowered and Required, to Order the Perſon or Perſons ſo Convicted, to be Publickly Whipt at the Market Place, or ſome other Publick Place of the City, Town, or Place, where ſuch offender or Offenders ſhall be reſpectively Committed, Once or oftner, as to ſuch Juſtice or Juſtices ſhall appear Reaſonable; and in Caſe of a further Conviction, for, or upon a Second, or any other ſubſequent Offence of the ſame Kind, the Perſon or Perſons ſo again Offending, being thereof Lawfully Convicted, in Manner before Preſcribed by this Act, ſhall for every Second, or other ſubſequent Offence, Forfeit and Pay the Sum of Ten Pounds, and in Caſe the ſaid Forfeiture ſhall not be immediately paid, the Juſtice or Juſtices, before whom ſuch Con-

Conviction ſhall be had, ſhall Commit the Party or Parties ſo Convicted to the Houſe of Correction, or other Publick Priſon as aforeſaid, there to be kept to hard Labour for any Time not exceeding Three Months, nor leſs than One Month, unleſs the ſaid Forfeiture ſhall be ſooner Paid, and if within Seven Days before the Expiration of the Time for which ſuch Offender or Offenders ſhall be ſo Committed, the ſaid Forfeiture ſhall not be Paid, the ſaid Juſtice or Juſtices is, and are hereby Impowered and Required, to Order ſuch Offender or Offenders to be Publickly Whipped at the the Market Place, or ſome other Publick Place of the City, Town, or Place, where he, ſhe, or they, ſhall be reſpectively Committed, Twice or oftner, as to ſuch Juſtice or Juſtices ſhall appear Reaſonable; and the ſaid reſpective Forfeitures, of Five Pounds and Ten Pounds, when Recovered, after Satisfaction ſhall have been made thereout, to the Party or Parties Injured, together with ſuch Coſts of Proſecution as ſhall be judged Reaſonable by the Juſtice or Juſtices, before whom ſuch Conviction ſhall have been had, ſhall be equally Diſtributed among the Poor of the Pariſh, or Place where the Perſon or Perſons ſo Convicted ſhall Reſide or Inhabit.

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Provided allways, and be it further Enacted by the Authority aforesaid, That if any Person Convicted as aforesaid, of Buying, Receiving, or Taking to Pawn, any of the Materials herein before Mentioned, shall think himself or herself Aggrieved, by the Judgment of the Justice or Justices, before whom he or she shall have been Convicted, such Person shall have Liberty to Appeal to the Justices, at the next General or Quarter Sessions of the Peace, which shall be Held for the County, Division, City, Liberty, Town, or Place, where such Judgment shall have been given, and that the said Execution of the said Judgment shall in such Case be Suspended, the Person so Convicted, Entering into a Recognizance at the Time of such Conviction, with Two sufficient Sureties, in Double the Sum which such Person shall have been Adjudged to Forfeit, upon Condition to Prosecute such Appeal with Effect, and to be forthcoming to Abide the Judgment and Determination of the Justices in the said General or Quarter Sessions, which Recognizance the said Justice or Justices, before whom such Conviction shall be had, shall hereby be Impowered and Required to take, and the Justices in the said General or Quarter Sessions shall hereby be Im-

Impowered and Required to hear and finally Determine the Matter of the said Appeal, and to award such Costs as to them shall appear just and reasonable to be paid by either Party: And if, upon hearing of the said Appeal, the Judgment of the Justice or Justices before whom the Appellant shall have been Convicted, shall be affirmed, such Appellant shall immediately pay the Sum which he or she shall have been Adjudged to forfeit, together with such Costs as the Justices in the said General or Quarter Sessions shall award, to be paid by him or her for Defraying the Expences sustained by the Defendant or Defendants in such Appeal, or in Default of making such Payments, shall suffer the respective Pains and Penalties by this Act inflicted upon Persons who shall neglect to pay, or shall not pay the respective Forfeitures by this Act Imposed upon such as shall be Convicted of Buying, Receiving, or Taking to Pawn, any of the Goods or Materials herein before mentioned, which shall have been purloined or imbezzled, and the Determination of the said Justices, at the said General or Quarter Sessions, shall be absolutely Final and Conclusive.

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And be it further Enacted by the Authority aforesaid, That if any Person or Persons shall be charged with, and afterwards Convicted of Purloining or Imbezzling any of the aforesaid Goods or Materials, or of Buying or Receiving the same in Manner before described, it shall and may be Lawful to and for the Justice or Justices of the Peace, before whom such Conviction shall be had, to issue a Warrant under his or their Hand and Seal, or Hands and Seals, directed to any Person or Persons, impowering him or them, in the Presence of a Constable, and in the Day Time, to enter into and Search the Houses, Out-Houses, Shops, Cellars, Vaults, and other Places, belonging to the Person or Persons so Convicted as aforesaid; And if upon any such Search or Searches, there shall be found any Thrums or Ends of Yarn, or any other Materials of Furr, Cotton, Iron, Wool, Mohair, or Silk, or any Working Tools belonging to the said Manufactures, it shall and may be Lawful to and for the Person or Persons Impowered to make such Search or Searches, as aforesaid, to bring such Goods or Materials before the said Justice or Justices, to be by him or them detained and kept in safe Custody; and if within

within the Space of Ten Days next after such Thrums or Ends of Yarn, or other Goods, or Materials, shall be so taken and detained, it shall be made Appear to the Satisfaction of the said Justice or Justices, that the Person or Persons from whose Houses, Out-Houses, Shops, Cellars, Vaults, or other Places as aforesaid, the said Goods or Materials shall be so taken and detained, is, or are the Lawful Owners thereof, and came to the Possession of the same in an honest and lawful Manner, then all such Thrums or Ends of Yarn, or other Materials, so taken and kept, as aforesaid, shall be restored to the Person or Persons out of whose Custody or Possession, the same shall have been so taken; but in Case it shall not be made appear within the Time before Limited, to the Satisfaction of the said Justice or Justices, that the Person or Persons Convicted as aforesaid, is, or are the lawful Owner or Owners of the said Materials so taken and detained, as aforesaid; then, and in every such Case, the said Materials shall be deemed and adjudged to be Purloined or Imbezzled, and it shall and may be Lawful to and for the said Justice or Justices, to Direct all such Thrums or Ends of Yarn, or other Materials, to be publickly Sold, and the Money arising by such Sale (the Charges of

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(such Sale being first deducted) to be equally distributed amongst the Poor of the Parish or Place where the Person or Persons so Convicted, shall reside or inhabit.

Provided always, and be it further Enacted by the Authority aforesaid, That the said Justice or Justices shall, within Three Days after such Materials shall be brought to him or them as aforesaid, give Notice thereof in Writing under his or their Hand and Seal, or Hands and Seals, to the Person or Persons Convicted as aforesaid, appointing in such Notice, a Time and Place for his, her, or their Attending, in Order to make out and prove his, her, or their Property in such Materials so taken and detained, as aforesaid, which Time so to be appointed, shall be within Fourteen Days, and not less than Ten Days after such Notice given; and if the Person or Persons so Convicted, shall be detained in any House of Correction, or other Prison as aforesaid, the said Justice or Justices, shall also Cause a Copy of the said Notice attested under his or their Hand and Seal, or Hands and Seals, to be delivered to the Master or Keeper of such House of Correction, or other Prison, which Master or Keeper shall, and is hereby required to bring, or Cause to be brought before such Justice or Justices, the Person or Persons named

named in such Notice, at the Time and Place therein specified, if the Person or Persons named in such Notice, be then in the Custody of such Master or Keeper; and if any such Master or Keeper shall neglect or refuse so to do, such Master or Keeper shall, for every such Neglect or Refusal, Forfeit to the Person or Persons, respectively named in such Notice, the full Value of the Materials so taken, detained and sold, to be Recovered by Distress and Sale of the Goods and Chattels of such Master or Keeper, by Warrant under the Hand and Seal, or Hands and Seals, of the Justice or Justices signing such Notice, in Case the said Forfeiture shall not be immediately paid. CHAP. X.

Provided also, and be it further Enacted by the Authority aforesaid, That if any Person shall think himself or herself aggrieved by the Judgment or Order of the said Justice or Justices, relating to the Sale or Disposal of the said Materials so found and detained, as aforesaid, such Person shall have Liberty to Appeal against the Judgment or Order of the said Justice or Justices, to the Justices of the Peace in the General or Quarter Sessions of the Peace which shall be held for the same County, Division, City, Liberty, or Town Corporate, next after such Judgment or Order shall be given

CHAP. X.

or made; and that, in the mean Time, the Sale and Disposal of such Materials shall be postponed, Notice in Writing, under the Hand of the Person intending to Appeal, signifying such, his or her Intention, being given to the Justice or Justices by whom such Order shall have been made, before the Time appointed for the Sale and Disposal of such Materials; and the Justices of the Peace in the said General or Quarter Sessions of the Peace, shall hereby be Authorized and Impowered to Summon and Examine Witnesses upon Oath (or, being of the People called Quakers, upon their Solemn Affirmation) and to hear and finally Determine the Matter of the said Appeal; and in Case the said Appellant shall not Prosecute such his or her Appeal, or for any other Cause, the Judgment of the said Justice or Justices, by whom such Order shall have been Made shall be affirmed, it shall and may be Lawful for the Justices in the said General or Quarter Sessions of the Peace, to award such Costs as they, in their Discretion, shall think reasonable to be paid by the Appellant, for Defraying the Expences sustained by the Defendant or Defendants in such Appeal, and the Determination of the said Justices, at the said General or Quarter Sessions, shall be absolutely Final and Conclusive.

And

CHAP. X.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons intrusted with any of the Materials herein before mentioned, in order to Prepare, Work up, or Manufacture the same, shall not Use all such Materials in the Preparing, Working up, or Manufacturing of the same, and shall Neglect or Delay, for the Space of Fourteen Days after such Materials shall be Prepared, Worked up, or Manufactured, to return (if required by the Owner or Owners of such Materials so to do) so much of the said Materials as shall not be Used, as aforesaid, to the Person or Persons entrusting him, her, or them therewith, such Neglect or Delay shall be deemed and adjudged to be an Imbezzling or Purloining of such Materials, and the Person or Persons so Neglecting or Delaying, being thereof Convicted, in Manner before prescribed for the Conviction of Offenders against this Act, shall suffer the like Punishment, as Persons Convicted of Embezzling or Purloining any of the Materials herein before mentioned, are rendered subject and liable to.

And be it further Enacted by the Authority aforesaid, That it shall and may be Lawful, to and for any one Justice of the Peace of any County, Division, Liberty,

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City, Town, or Place and he ſhall be hereby required, upon Complaint to him made upon Oath, (or, if the Perſon Complaining be of the People called Quakers, Solemn Affirmation) of any Offence herein before mentioned, Committed within the ſaid County, Diviſion, City, Liberty, Town, or Place, to iſſue his Warrant for apprehending and bringing before him, or before any other Juſtice or Juſtices of the Peace of the ſaid County, Diviſion, City, Liberty, Town, or Place, the Perſon or Perſons Charged with ſuch Offence; and the Juſtice or Juſtices, before whom ſuch Perſon or Perſons ſhall be brought, is, and are hereby authorized and required, to Hear and Determine the Matter of every ſuch Complaint, and to proceed to Conviction and Judgment thereupon.

And for better Regulating the Journeymen and other Perſons Employed as Manufacturers, or Workers in the Manufactures of Felts or Hats, and in the Fuſtian, Cotton, Furr, Iron, Woollen, Mohair, or Silk Manufactures, or any Manufactures made up of Furr, Cotton, Wooll, Mohair, or Silk, or any of the ſaid Materials mixed one with another; Be it Enacted by the Authority aforeſaid, That if any Perſon, who, at any Time after the ſaid firſt Day of May,

One

One thouſand ſeven hundred and fifty eight, ſhall be Hired, Retained, or Employed to Prepare or Work up any of the Manufactures herein before mentioned, for any one Maſter, ſhall Neglect or Refuſe the Performance thereof, by Procuring or permitting himſelf or herſelf to be ſubſequently Retained or Employed by any other Maſter or Perſon whatſoever, before he or ſhe have Compleated the Work which he or ſhe was firſt and originally ſo Hired, Retained, or Employed to Perform, and which was firſt Delivered to him or her, then, and in every ſuch Caſe, the Perſon ſo Offending, being thereof lawfully Convicted, by the Oath, or (being of the People called Quakers) Affirmation of One or more credible Witneſs or Witneſſes, before One or more Juſtice or Juſtices of the Peace of the County, Diviſion, City, Liberty, Town, or Place, where the Offence or Offences ſhall be Committed, the Perſon or Perſons ſo Convicted, ſhall be ſent to the Houſe of Correction, there to be kept to hard Labour for any Time not exceeding One Month. CHAP. X.

Provided allways, and be it further Enacted by the Authority aforeſaid, That no Perſon ſhall, by Virtue of any Act heretofore Made, or of any Thing herein Contained, Suffer, or be liable to Suffer

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twice for one and the same Fact or Offence.

And whereas an Act passed in the Seventh Year of his present Majesty's Reign, Intitled, An Act to Prevent Frauds and Abuses in Bay-Yarn Exported to *Great Britain*; which Act was Continued to the End of this present Session of Parliament, and is proper to be further Continued, with some Amendments; be it further Enacted by the Authority aforesaid, That the said Act, and all and every the Clauses, Articles, and Provisoes therein and hereinafter Contained, shall be and are hereby Continued and made perpetual.

And whereas divers Frauds and Abuses are still Committed by Reeling Bay-Yarn on Reels of different Dimensions, and also by Reeling Cotton-Yarn on Reels of different Dimensions, and by making the Skains of different Lengths and Counts, and it is therefore become necessary to make further Provision for preventing such Offences for the Future; therefore for Amending and Rendering more effectual the aforesaid Act, and preventing the Abuses and Frauds in the Reeling of Cotton-Yarn; be it further Enacted by the Authority aforesaid, That from and after the said first Day of May, One thousand seven hundred and fifty eight, if any Reel-maker shall Make, or cause to be Made, or any Spinner

Spinner shall Use any Snap-Reel for Reeling Bay-Yarn, or Cotton-Yarn, of less than a Yard and Three Quarters and Inch in the Circumference, or if any Spinners shall make up Skains of Bay-Yarn, or Cotton-Yarn, of less than three Quarters and Half a Quarter of a Yard in Length, or less than Six Lays or Cuts to each Skain, and Eight Score Threads to each Lay or Cut, and shall be thereof lawfully Convicted, by the Oath, (or, being of the People called Quakers, solemn Affirmation) of the Owner of such Goods, or by the Oath or Affirmation of any other credible Witness or Witnesses, or by the Confession of the Person or Persons charged with such Offence, before any One or more Justice or Justices of the Peace of the County, City, or Place where such Offence shall be Committed, or where the Person or Persons so Charged shall Reside or Inhabit (which Oath or Affirmation the said Justice or Justices shall be Impowered and Required to Administer) it shall and may be Lawful to and for the said Justice or Justices, by Warrant under his or their Hand and Seal, or Hands and Seals, to Commit the Person or Persons so Convicted, to the House of Correction, or other Publick Prison of such County, City, or Place, there to be Kept to Hard Labour for any Space of Time not exceeding

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ing Ten Days, and also to Order the Persons so Convicted, to be Once Publickly Whipped at the Market-place, or some other Publick Place of the City, or Place where such Offender shall be respectively Committed; and in Case of a further Conviction, in Manner before prescribed for, or upon a second or other subsequent Offence of the same Kind, it shall and may be lawful to and for the Justice or Justices, before whom such Conviction shall be had, to Commit the Person or Persons, so again Offending, to the House of Correction, or other Publick Prison, as aforesaid, there to be Kept to Hard Labour, for any Time, not exceeding Two Months, nor less than One Month, and also to Order the Person or Persons so again Offending, to be Publickly Whipped at the Market-place, or some other Publick Place of the City, or Place where such Offender or Offenders shall be respectively Committed, Thrice, or oftner, as to such Justice or Justices shall seem reasonable; any Thing in the said, in part, recited Act of the Seventh Year of His present Majesty's Reign, to the Contrary in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons shall, by Day or by Night, Break into any House or Shop, or Enter by Force into

into any House or Shop, with Intent to Cut or Destroy any Fustian, Cotton, Woollen, Mohair, or Silk Goods, in the Loom, or any Tools Employed in the Making thereof, or shall wilfully and maliciously Cut or Destroy any Fustian, Cotton, Woollen, Mohair, or Silk Goods, in the Loom, or on the Rack, on which any of the aforesaid Goods are Hanged, in Order to Dry, and shall wilfully and maliciously Break or Destroy any Tools used in the Making of Fustian, Cotton, Woollen, Mohair, and Silk Goods, not having the Consent of the Owner so to do, every such Offender, being thereof lawfully Convicted, shall be adjudged Guilty of Felony, and shall suffer Death, as in Cases of Felony, without Benefit of Clergy.

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CHAP. XI.

AN

ACT

More Effectually to Enable the Clergy, having Cure of Souls, to Reſide upon their reſpective Benefices, and to Build upon their reſpective Glebe Lands.



DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's Arms* and *Two Bibles* in *Eſſex-Street*. MDCCLVIII.

CHAP.
XI.

AN

ACT

More Effectually to Enable the Clergy, having Cure of Souls, to Reside upon their respective Benefices, and to Build upon their respective Glebe Lands.

DUBLIN:

Printed by the Executor of George Grierson, Printer to the King's Most Excellent Majesty, at the King's Arms and Bible in Essex-Street. MDCCLVIII.

AN

ACT

More Effectually to Enable the Clergy, having Cure of Souls, to Reside upon their respective Benefices, and to Build upon their respective Glebe Lands.

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CHAP. XI.

WHEREAS by an Act made in the first Year of the Reign of his present Majesty King George the Second, Intitled, An Act for rendering more Effectual an Act, Intitled, An Act for the better Enabling the Clergy, having Cure of Souls, to Reside upon their respective Benefices,

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and for the Encouragement of Protestant Schools within this Kingdom of *Ireland*; It is Enacted, That every Rector, Vicar, Curate, or other Ecclesiastical Person, who shall, from and after the Commencement of the said Act, be admitted into any Ecclesiastical Benefice, of the Yearly Value of One Hundred and Fifty Pounds, or upwards, having no House fit for the Residence of the Incumbent thereof, and being Endowed with Glebe Lands lying near his Parish Church, and being fit and convenient for Building, shall, within a certain Time to be Limited and Appointed by the Arch-Bishop or Bishop of the Diocese, after he has been Two Years in Possession of such Benefice, Build and Improve upon such Glebe Land, in such Manner as in the said recited Act is mentioned: And some Doubts having arisen on the said Act, and the Residence of the Clergy being a Duty incumbent upon them, and highly Necessary to the Advancement of true Religion, and to the Furtherance of the Conversion of the Papists of this Kingdom; Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this Present Parliament Assembled, and by the Authority of the same, that all Persons who are already possessed of, or shall hereafter accept of any Deanry, Arch-Deaconry,

Deaconry, Dignity, Prebend, or of One or more Rectories having no Vicarage Endowed, Vicarages Perpetual, Curacies, or other Ecclesiastical Preferments, with Cure of Souls belonging thereto, which either singly or jointly, or together, with what he at this Time hath, or at the Time of the Acceptance thereof, shall Enjoy in the same Diocese, shall make up the Sum of One Hundred pounds Sterling, per Annum, every such Dean, Arch-Deacon, Dignitary, Prebendary, Rector, Vicar, Curate, or other Ecclesiastical Person, having Cure of Souls, after he hath been Three Years in Possession thereof, to be computed from the Time of the Commencement of this Act, or from the Time of his Admission, and having no House thereon, fit and convenient for his Residence, and any One of such Benefices, being Endowed with such Portion of Glebe Land as the Arch-Bishop or Bishop of the Diocese shall judge fit and convenient for Building thereon, shall, within a Time certain to be Limited and Appointed by the Arch-Bishop or Bishop of the Diocese, build and improve on such Glebe Land, in such Manner, with such Consent, under such Rules and Limitations, and with such Benefits and Advantages, and be intitled to such Proportion of the Money laid out in Building and Improving on such Glebe Land, as

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by the said recited Act is mentioned and expressed.

And be it further Enacted by the Authority aforesaid, That every Archbishop, and Bishop, shall have the like Power and Authority to Oblige the said before mentioned Persons to build and improve upon their respective Glebe Lands, as in and by the said recited Act is given and granted to the said Archbishops and Bishops, in respect of the Persons therein mentioned, in as full and ample Manner, as if the Person, herein described, had been mentioned in the said recited Act.

Provided, That no such Dignitary, or other Incumbent, shall be obliged, by this Act, to build a House upon the Glebe belonging to any Benefice, the Value of which shall not, communibus annis, amount to the Sum of Fifty Pounds to such Incumbent, unless such Incumbent shall previously obtain from the Trustees of the First-Fruits, a Grant of a Sum, not less than Fifty Pounds, to enable him the better to carry on the Building of such House, which Sum so granted, the Trustees of the First-Fruits shall be enabled to give before the House is begun to be built, and in such Manner, as they shall think proper.

And

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And whereas many Parishes in this Kingdom continue without Glebe of any Kind, and many more have Glebes so small and inconsiderable, as to be in no Sort convenient for Building on them, or any of them, notwithstanding the several Acts, from Time to Time, passed in this Kingdom, and now in Force, Enabling the Persons in the said Acts, respectively named, to Endow Churches with Glebes; and it is apprehended, that one great Reason why so few Endowments have been made, in Consequence of the said Acts, or any of them, has been, That the Powers in each and every of the said Acts, extend only to Grants in Fee Simple, or in Fee Farm; Be it therefore Enacted by the Authority aforesaid, That it shall and may be Lawful for all and every Person and Persons whatsoever, who are or shall be Seized of an Estate in Fee, or of an Estate Tail in Possession, or of an Estate for Life, with a Remainder over to his, her, or their own Issue, in any Lands, by his, her, or their Deed or Deeds, duly executed under his, her, or their Hand and Seal, to Grant and Demise such Lands, or Part of them, as a Glebe for the Incumbent or Minister of any Parish, having actual Cure of Souls, for one or more Life or Lives Renewable for ever, Reserving such

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Rent or Rents out of such Lands, and in the same Manner, and under such Restrictions, as to the Number of Acres, and every other Condition, as each and every of the said persons Seized of such respective Estates in such Lands, could or might by the said Acts now in Force, or any of them, have granted such Lands respectively, in Fee Simple, or Fee Farm.

And whereas by several Acts passed in the Reign of her Late Majesty Queen Anne, His Late Majesty King George the First, and His present Majesty, all now of Force in this Kingdom, Power is given to Archbishops, Bishops, Deans, Deans and Chapters, Dignitaries, or Prebendaries, having Land belonging to them as such respectively, near any Church, and convenient for a Glebe to it, to grant such Land, or part thereof, as a Glebe to the Incumbent of such Church, or in Trust, for any Resident Curate, Officiating in any Appropriate or Impropriate Benefice, and his or their Successors, with such Consent, and under such Rules and Limitations, as are in the said Acts respectively Mentioned.

And whereas the said Archbishops, Bishops, Deans, Deans and Chapters, Dignitaries, or Prebendaries, or some of them, though not

not Poſſeſſed as ſuch, of Lands near any Church, and convenient for a Glebe, may yet be, and are Poſſeſſed of Lands at a Diſtance, which being Granted for Glebe, may afterwards be Exchanged for other Lands which may be near and convenient, purſuant to an Act, paſſed in the Second Year of Her late Majeſty Queen Anne, Intitled, An Act for Exchange of Glebes; which Act, being Temporary, has been by ſubſequent Acts, Continued, and is now of Force in this Kingdom: CHAP. XI.

And whereas a Doubt has ariſen, whether the ſaid Archbiſhops, Biſhops, Deans, Deans and Chapters, Dignitaries, or Prebendaries, or any of them, can Grant ſuch Lands for Glebes, on Account of their Diſtance, and not lying conveniently for the Reſidence of any Incumbent, or Curate of any Appropriate or Impropriate Benefice;

For the Clearing of the ſaid Doubt, and to the Intent that the ſeveral Perſons herein before Named, and their Succeſſors, Poſſeſſed of the higher Stations in the Church, and of the Advantages and Profits annexed to them, may have fuller and more extenſive Powers to Provide Glebes in ſuch Pariſhes in which they are much wanting, and thereby to Promote the Reſidence of the Clergy, which, by the Bleſ-

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sing of God, may be a Means to Extend the Protestant Religion, and facilitate the Conversion of the Papists in this Kingdom; Be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for every Archbishop, Bishop, Dean, Dean and Chapter, Dignitary, or Prebendary, to Grant any Land to their Archbishoprick, Bishoprick, Deanry, Capitular Body, Dignity, or Prebend belonging, for a Glebe to any Parish, at whatsoever Distance it may lie from the same, with such Consents, and under such Restrictions, as in the said Acts respectively are mentioned, to the Intent, that such Land so granted, may be afterwards Exchanged for other Lands lying near the Church, and more convenient for the Residence of an Incumbent or Curate, as aforesaid.

Provided allways, That all and every Grant so made of Lands, at a Distance, for Glebe, shall be absolutely Null and Void to all Intents and Purposes whatsoever, unless an Exchange for other Lands lying nearer and more convenient, be made and perfected pursuant to the said Acts, within the Space of Two years after the making such Grant.

And be it further Enacted by the Authority aforesaid, That all Lands Granted or Demised

Demiſed, for Lives Renewable for ever, or exchanged in Manner herein before mentioned, ſhall from thenceforth be adjudged to be Glebe or Demeſne Lands, belonging to each Parish reſpectively, and ſhall be ſubject to, and regulated by all Clauſes and Limitations, in all Laws made for the Endowing of Churches with Glebes, and for the Encouraging the Building of Houſes, and making other Improvements on Church Lands, and to prevent Dilapidations, and for the better enabling the Clergy, having Cure of Souls, to Reſide on their reſpective Benefices. CHAP. XI.

And whereas many Benefices, with Cure of Souls, within this Kingdom, are of ſo ſmall yearly Value, that for the Support of a Reſident Miniſter for the Cure and Service of the ſame, many Unions have been, and may hereafter be made by Act of Council, or otherwiſe, of Two or more ſuch Benefices, and within many ſuch Unions, there now remaineth, or may remain, but One Church only, wherein Divine Service is uſually Celebrated, or not a Church to each and every Benefice within the ſame; Be it Enacted by the Authority aforeſaid, That from the Twenty fourth Day of June next, it ſhall and may be lawful for every Clerk, Collated, Inſtituted, and Inducted to Two or

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more Benefices so United, to perform all Things requisite for further Qualifying or Intitling himself, in full Right, to all and every Benefice within such Union in such Church or Churches as are remaining within the same, wherein Divine Service is usually Celebrated; and that his having performed all such Requisites in such Church or Churches then remaining, shall be as Good and Effectual, to all Intents and Purposes, for Qualifying and Intitling, in full Right, such Clerk to all and every Benefice within such Union, as if the same had been performed in each and every Church, or in each and every Site, or Ruins of a Church, within the same.

Provided allways, That nothing in this Act shall be Construed to Intitle, Qualify, or Restore any Clerk, who by Non-performance of all or any such Requisites, hath already incurred the Penalties, Forfeitures, or Avoidances of any former Acts.

AN

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AN

ACT

FOR

The more effectual carrying into Execution an Act, Intitled, *An Act for the Relief of the Creditors of the Bank, lately kept by* Samuel Burton *and* Daniel Falkiner; *and of the Creditors of the Bank, lately kept by* Benjamin Burton, Samuel Burton *and* Daniel Falkiner; *and of the Creditors of the Bank, lately kept by* Benjamin Burton *and* Samuel Burton; *and of the Creditors of the Bank, lately kept by* Benjamin Burton *and* Francis Harriſon.

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DUBLIN:

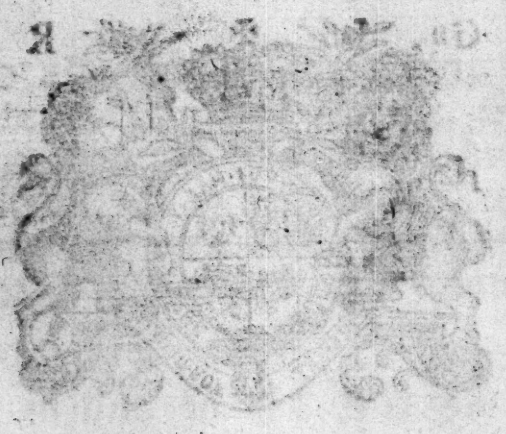
Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's-Arms* and *Two Bibles* in *Eſſex-Street*. MDCCLVIII.

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XII.

AN ACT

FOR

The more effectual carrying into Execution an Act, intitled, An Act for the Relief of the Creditors of the Bank, lately kept by Samuel Burton and Daniel Hailiner; and of the Creditors of the Bank, lately kept by Benjamin Burton, Samuel Burton and Daniel Hailiner; and of the Creditors of the Bank, lately kept by Benjamin Burton and Samuel Burton; and of the Creditors of the Bank, lately kept by Benjamin Burton and Francis Harrison.



Printed by the Executors of Benjamin Franklin and William Duane,
Printers to the King's Most Excellent Majesty, at the Stone and Type in Chancery-Lane. MDCCLXII.

CHAR. XII.

AN

ACT

FOR

The more Effectual Carrying into Execution an Act, Intitled, *An Act for the Relief of the Creditors of the Bank, lately kept by* Samuel Burton *and* Daniel Falkiner; *and of the Creditors of the Bank, lately kept by* Benjamin Burton, Samuel Burton *and* Daniel Falkiner; *and of the Creditors of the Bank, lately kept by* Benjamin Burton *and* Samuel Burton; *and of the Creditors of the Bank, lately kept by* Benjamin Burton *and* Francis Harrison.

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CHAR. XII.

WHEREAS in and by an Act of Parliament made in this Kingdom, in the Seventh Year of the Reign of his present Majesty, Intitled,

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titled, An Act for the Relief of the Creditors of the Bank, lately kept by *Samuel Burton* and *Daniel Falkiner*; and of the Creditors of the Bank, lately kept by *Benjamin Burton*, *Samuel Burton*, and *Daniel Falkiner*; and of the Creditors of the Bank, lately kept by *Benjamin Burton* and *Samuel Burton*; and of the Creditors of the Bank, lately kept by *Benjamin Burton*, and *Francis Harrison*: All and Singular, the Manors, Lands, Tenements, and Hereditaments, Rents, Reversions, Remainders, Vses, and Trusts, which the said Francis Harrison, Benjamin Burton, Samuel Burton, and Daniel Falkiner, or any or either of them, was, or were, at the respective Times therein Mentioned Seized of, or Intitled unto, in Fee Simple, or Fee Tail, or for Life or Lives, either in Law or Equity, and all Debts which had not theretofore been, Bona Fide, paid or Discharged, and were Due and Owing to them, or any, or either of them, at the respective Times therein Mentioned, or which they, or any, or either of them, was, or were Intitled unto, and likewise all other the Estate, Real and Personal, which they, or any, or either of them, was or were Seized, Possessed of, Interested in, or Intitled unto, at the respective Times therein Mentioned, except such Sum or Sums of Money, as had before the Time of passing the said Act of Parliament been Really, and Bona Fide, applied

applied to the Payment of their, or either of their Debts, or such part of their, or either of their personal Estate, as had been, Bona Fide, or for Valuable Consideration, Sold, were Vested in the Seisin and possession of the Right Honourable Henry Boyle Esquire, then Speaker of the House of Commons, and Chancellor of His Majesty's Court of Exchequer in Ireland, and now Earl of Shannon, the Right Honourable Thomas Marlay Esquire, the Lord Chief Baron of His Majesty's Court of Exchequer, since Deceased, the Honourable Michael Ward, Esquire, one of the Justices of His Majesty's Court of King's Bench, the Honourable John Wainwright Esquire, then one of the Barons of His Majesty's Court of Exchequer, since Deceased, the Honourable Robert Lyndsay Esquire, then one of the Justices of His Majesty's Court of Common Pleas, since Deceased, the Honourable Henry Singleton Esquire, then His Majesty's Prime Serjeant at Law, and now Master of the Rolls, the Honourable John Bowes Esquire, then His Majesty's Sollicitor General, and now Lord High Chancellor of Ireland, Eaton Stannard Esquire, then Recorder of the City of Dublin, since Deceased, William Vesey Esquire, then one of the Masters of His Majesty's High Court of Chancery, since Deceased, Thomas Trotter Esquire, then one of the Masters

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of his Majesty's High Court of Chancery, since Deceased, and Boleyn Whitny, of the City of Dublin, Esquire; being Trustees to put the said Act in Execution, their Heirs, Executors, and Administrators, which said Trustees, or any Three or more of them, were thereby Authorized to Sell and Dispose of the said Real and Personal Estates, or so much thereof as should be Necessary for the several Purposes therein after mentioned, and to call in, Sue for, or Compound the said Debts, Due to the said Benjamin Burton, Francis Harrison, Samuel Burton, and Daniel Falkiner, or to any or either of them in Trust, to Apply the Money arising thereby in such Manner as is therein after Directed; and in particular, out of the Real and Personal Estate of the said Francis Harrison, to pay all the Joint and Separate Debts, Due by the said Francis at the Time of his Death, and remaining Unpaid, and a Moiety of so much as was paid, after the Death of the said Francis Harrison, in the Lifetime of the said Benjamin Burton, on Account of their Partnership Debts, and the whole of what was paid after the Death of the said Benjamin Burton, on Account of their Partnership Debts, over and above what had been Received out of their Partnership Effects.

And whereas one other Act passed in this Kingdom, in the Ninth Year of his Present Majesty's Reign, Intituled, An Act for Continuing and Amending the before mentioned Act; and another Act passed in this Kingdom, in the Twenty fifth Year of his Present Majesty's Reign, Intituled, An Act for the more Effectual carrying into Execution the said first mentioned Act, by taking away the Benefit of Pleading the Statutes of Limitations, from the several Debtors to the said several Banks, and to the said several Bankers, and to Enable the said several Creditors, to make Composition for their several Debts.

And whereas the said Trustees did, in part, Execute the several Trusts by the said Acts reposed in them, and Ascertained the Sum to be Raised out of the said Estate of the said Francis Harrison, on Account of what was paid, after the Death of the said Francis Harrison, by the said Benjamin Burton and the Succeeding Bankers, to the Sum of Forty three thousand four hundred and thirty six Pounds, Fifteen Shillings, and Seven Pence, but have been Obstructed in the Execution of many of the said Trusts for several Years past, by tedious Suits in Equity, and other Controversies carried on by several of the persons

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sons Interested in the said Trust, by Means whereof the Execution of the said Acts of Parliament, hath taken up much longer Time than was foreseen by the Legislator, at the Time of passing the same.

And whereas the said Trustees have Levied and Raised, out of the said Estate of the said Francis Harrison, a Fund sufficient to Satisfy the said Sum of Forty three thousand four hundred and thirty six pounds, Fifteen Shillings, and Seven pence, with Interest, and all Costs and Expences, Chargeable on the said Estate, for passing and carrying into Execution the said recited Acts, and also to Satisfy all other the Joynt and Separate Debts of the said Francis Harrison, Decreed by them, in Pursuance of the Powers and Authorities Vested in them by the said Acts, and have by Two several Payments, paid to the Creditors of said Banks, Fifteen Shillings in the Pound, of their Principal Debts, and have also paid to the separate Creditors of the said Bankers, their several Uncontested separate Debts, and the said Trustees never Received any Money which was Raised out of all, or any of the Estates Vested in them by the said Act; but the same was paid into the Bank, formerly kept by Hugh Henry Esquire, and Company,

and

and now, by Henry Mitchell, Esquire, and Company. CHAP. XII.

And whereas, by One other Act of Parliament, made in the Twenty first Year of His Majesty's Reign, to Confirm and carry into Execution, certain Articles of Agreement, Entered into, by, and between Abraham Creighton Esquire, on Behalf of himself and others, and William Todd Esquire, on Behalf of himself and others, it is Enacted, that such Part of the Real and Personal Estate of the said Francis Harrison, as shall remain Unsold or Undisposed of, by the said Trustees Mentioned in the said several Recited Acts, after the full Execution of such Parts of the said several Acts, so made for the Relief of the Creditors of the said several Banks, in the said Recited Acts mentioned, as Relate to the said Estates, Real and Personal, of the said Francis Harrison, shall be, and the same is, and are thereby Vested in the Right Honourable Somerset Hamilton, then Lord Viscount Ikerrin, and now Earl of Carrick; the Honourable Michael Ward, one of the Justices of His Majesty's Court of Kings Bench; Thomas Morgan, of the City of Dublin, Esquire, since Deceased; David Giball of the said City Merchant, and James Taylor of the said City Merchant, and the Survivors and Survivor of them, and the Heirs, Executors,

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and Administrators of such Survivor, in Trust, and for the several Purposes therein mentioned.

And whereas there now remains Unapplied by the said Trustees, a large Sum of Money in the Bank kept by the said Henry Mitchell and Company, part of which Sum was Raised out of the Estate of the said Francis Harrison, and part out of the Estates of the said other Bankers, and there also remain Vested in the said Trustees, several unsatisfied Securities of the said Banks, which Amount to a very Considerable Value.

And whereas the several Trusts reposed in the said Trustees, so far as the same related to the Real and Separate Personal Estate and Effects, of the said Francis Harrison are fully Executed, save only as to the Application of the Money Raised and Received by them out of the said Estate, and remaining in the Hands of the said Henry Mitchel and Company Unapplied, but several of the Trusts reposed in the said Trustees, still remain to be Executed, and the Present Surviving Trustees, are reduced to Five in Number, who, by their Years or their respective Stations, are rendered Incapable of Acting further in any of the said Trusts or Powers, Vested in them

them by the said Acts, by Means whereof, there is a Stop put to the Execution of the said Trusts and Powers, and the said Securities and Effects remaining Vested in them, are in manifest Danger of being lost, and rendered of no Effect to the Persons interested, unless the said Trustees are Discharged from the said Trusts, and the said Effects are Vested in other Persons. CHAP. XII.

For Remedy whereof, and for the more effectual Carrying the said several recited Acts into Execution, Your Majesty's Most Dutiful Subjects, Charles, Lord Archbishop of Dublin, Mary, Countess Dowager of Kildare, Edward, Lord Bishop of Elphin, Ignatius Kelly, Henry Hatch, Thomas Croker, Francis Lodge, Hugh Eccles, and William Chamberlain, of the City of Dublin, Esquires, and Thomas Wolfe and John Finlay, of the same City, Gentlemen, in Behalf of themselves and several other Creditors of the said Bankers, humbly pray that it may be Enacted;

And be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That all and every such part and parts of the Lands, Tene-

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ments, Hereditaments, Rents, Reversions, Remainders, Uses, Trusts, and all such parts of the Estates Real and Separate Personal Estate of the said Francis Harrison, which by the said Act of the Seventh Year of His Present Majesty's Reign, were Vested in the said Trustees, and which now remain Unsold or Uncollected by the Trustees named in the said recited Act, shall be, and are hereby Vested, and Declared to be Vested in, and in the Seisin and Possession of the said Earl of Carrick, Michael Ward, David Giball, and James Taylor, and the Survivors and Survivor of them, and the Heirs, Executors, and Administrators of such Survivor, in Trust, and to and for the several Uses, Intents, and Purposes, in the said Act of the Twenty first Year of His Majesty's Reign, Mentioned, Expressed, and Appointed, concerning the same.

And be it further Enacted by the Authority aforesaid, That the said Trustees in the said Act of the Seventh Year of His Majesty's Reign Named, and the Survivors and Survivor of them, do and shall, on or before the Twenty fourth Day of June, One thousand seven hundred and fifty eight, Deliver over, or cause to be Delivered over, by their Register or Registers, all Books, Papers, Writings, Deeds, Securities, and Evidences, which

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are in their, or any of their Custody or Power, any Way relating to the Real or Separate Personal Estate of the said Francis Harrison only, which now remain Unsold, or Uncollected, as aforesaid, unto the said Earl of Carrick, Michael Ward, David Giball, and James Taylor, or any Three of them, in Trust, and for the Uses and Purposes in the said Act of the Twenty first Year of His Majesty's Reign, Mentioned and Appointed; and that all the Partnership Effects of the said Francis Harrison, and all Sums of Money which have been by the said Trustees, or their Agents, Collected or Received out of the Estate and Effects of the said Francis Harrison, and which remains in the Hands of the said Trustees, their Bankers, or the Agents by them Appointed, and all and every such Part and Parts of the said Lands, Tenements, Hereditaments, Rents, Reversions, Remainders, Uses, and Trusts, and all such Parts of the Estates, Real and Personal, of the said Benjamin Burton, Samuel Burton, and Daniel Falkiner, Separate, or in Partnership, which, by the said Act of the Seventh Year of His Majesty's Reign, were Vested in the said Trustees, and which now remain Vested in them, be, and shall, and are hereby Vested and Declared to be Vested in, and in the Seisin and Possession of Joseph Green, William Whittingham, Thomas Eyre, Esquire,

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His Majesty's Engineer and Surveyor General, William Horton, John Hatch, Michael Daly, William Bull, Esquires, John Abernethy, and George Knox; being Assignees appointed for the Intents and Purposes herein after mentioned, their Heirs, Executors, and Administrators, in as full and ample Manner, to all Intents and Purposes, as the same were Vested in the said Trustees, by the said Act of the Seventh Year of his present Majesty's Reign, to, for, and upon the same Uses, Trusts, Intents, and Purposes, and subject to the same Powers, Provisoes, as do now, in and by the said recited Acts, stand Limited, Enacted, or Declared, of and concerning the same respectively.

And be it Enacted by the Authority aforesaid, That the said Trustees, or the Survivor or Survivors of them, do, and shall, with all convenient Speed, after the passing of this Act, Deliver, or cause to be Delivered, by the Register or Registers, or others Employed by them, to the said Assignees, or any Three or more of them, all Books, Papers, Deeds, and Securities, any Way concerning or relating to the said Lands, Tenements, Hereditaments, Real and Personal Estates hereby Vested, or intended to be Vested in the said Assignees, or any Part or Parts thereof, or any Bile

concerning

concerning all or any of the Proceedings and Adjudications of the said Trustees in the Execution of the said Trust reposed in them by all or any of the said recited Acts, or any ways relating thereunto, that are in the Power, Custody, or Possession of the said Trustees, or any of them, their Register or Registers.

And be it further Enacted by the Authority aforesaid, That the said Surviving Trustees, and the Survivors and Survivor of them, and their and every of their respective Heirs, Executors and Administrators, the respective Heirs, Executors and Administrators of the said Deceased Trustees, and the respective Estates, Real and personal, of the said several Trustees, be, and shall be, and are hereby adjudged and declared to be absolutely Freed and Discharged of, and from all and every of the said Trusts, and of and from all Claims and Demands whatsoever, that can or may be made to or upon them, or any of them, for, or on Account, or by Reason, or in Consequence of any Decree, Adjudication, Order, Opinion, or Direction, pronounced, made, or given by the said Trustees, or any of them, in Execution of, or in what the said Trustees, or any of them, did consider to be done, in Execution of the said recited Acts, or any of them; and also

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of and from all Claims and Demands whatsoever, that can or may be made to, or upon them, or any of them, for, or by Reason, or in Consequence of the Neglect, Default or Misbehaviour of any Person or Persons whatsoever employed by them, or any of them, in the Execution of the said recited Acts, or any of them; and also of and from all Claims and Demands whatsoever, that can or may be made to, or upon them, or any of them, for, or by Reason, or in Consequence of the Neglect, Misbehaviour, or Insolvency of any Agent or Agents, Receiver or Receivers, Banker or Bankers, named, employed or appointed by them, the said Trustees, or any of them, to Collect or Receive the Debts, or any Part thereof due to the said Bankers, or any of them, or the Rents of the Estates of the said Bankers, or any of them, or the Money for which the Estates of the said Bankers, or any of them, was or were sold, and that in any Suit now depending, or which may arise either in Law or Equity, touching or concerning any of the Matters aforesaid, or any part of the Real or Personal Estates by the said first recited Act, Vested in the said Trustees, or the Disposal or Application thereof, or any Part or Parts thereof, by the said Trustees, or any of them, it shall not be necessary to make the said

said Trustees, or any of them, their, or any of their Heirs, Executors, or Administrators, or the Creditors of the said Bankers, or of any of them Parties; but that in every such Suits the said Assignees shall be in their Places, and that all Suits heretofore commenced and now depending in any Way Relative to the Premisses, may by Leave of the respective Courts wherein such Suits do depend, be prosecuted and defended in the Names of the said Assignees, or their Nominee, as hereafter mentioned.

And be it further Enacted by the Authority aforesaid, That the said Assignees, or any Three or more of them, shall, out of the Money that they shall receive out of the Estates, Real and Personal, hereby Vested in them, pay so much as will Satisfy all the Costs and Expences of Passing this Act, and all Disbursements relating thereto, and all such Poundage or Allowance, as is provided by the said Act of the Seventh Year of His present Majesty's Reign for the said Trustees, for their Undertaking the Trusts of the said Act; and also all the Disbursements, Costs, and Expences, which the said Trustees have had been at, and which remain unsatisfied, for, or on Account of obtaining or carrying the said several former Acts, or any, or either

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of them, into Execution; and all Bill and Bills of Coſt which remained due and unpaid to any Agent or Agents, Attorney or Attorneys, Solicitor or Solicitors, heretofore Nominated or Appointed by the ſaid Truſtees in the ſaid Act of the Seventh Year of his Majeſty's Reign, Named, or by any Three or more of them, to Proſecute or Defend any Suit or Suits at Law, or in Equity, Relative to the Eſtates, Real or perſonal, thereby Veſted, or intended to be Veſted in them, and alſo all Coſts, Expences and Diſburſements, which ſhall or may attend the Execution of this Act, or which ſhall be paid, laid out, or expended by the ſaid Aſſignees, or any Three or more of them, in Suing for, Recovering, Receiving, or Defending the ſaid reſpective Eſtates and Effects.

Provided allways, that out of the Partnerſhip Effects of the ſaid Francis Harriſon, and the Money received by the ſaid Truſtees out of the Eſtate of Francis Harriſon, and remaining unapplied as aforeſaid, no greater Proportion of the Expences and Coſts of paſſing this Act, or of the Diſburſements Relative thereto, than one Third part ſhall be Paid; and that all Expences which ſhall or may attend the Execution of this Act, or Suing for, or otherwiſe Relative to the ſaid Eſtates and Effects, ſhall

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be paid out of the respective Estates of such of the said late Bankers, as such Sums or Expences shall relate to. CHAP. XII.

And be it further Enacted by the Authority aforesaid, That the said Assignees, or any Three or more of them, do, and shall Settle and Adjust all and every Account and Accounts which are Depending or Unsettled between the said Trustees, or any of them, and the several Agents and Receivers employed by the said Trustees, or any of them, in Calling in or Receiving the several Rents Arising out of the said Estates of the said Benjamin Burton, Samuel Burton, and Daniel Falkiner, or any of them; and also all and every Account Depending and Unsettled between the said Trustees, or any of them, and the Banker or Bankers in whose hands all or any part of the Money Arising out of, or by Sale of all or any part of the Real or Personal Estates, so as aforesaid, Vested in the said Trustees, has at any Time been Deposited, and to Sue for and Compel such Agent or Agents, Receiver or Receivers, Banker or Bankers, or any of them, to pay to the said Assignees, or any Three or more of them, such Ballance or Ballances, as shall appear, upon Settling and Adjusting said Accounts, to be Due from them, or any of them respectively; and also

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to deliver up to the said Assignees, or any Three or more of them, all Deeds, Evidences, Securities, or Pleadings, relative to the Premisses, in their, or any of their Hands, Custody or Power.

And be it further Enacted by the Authority aforesaid, that the said Assignees, or any Three or more of them, shall or may Call in and Receive, or Sue for, Recover, or Compound, all, or any of the Debts Due on the Securities hereby Vested in them; and also Take and Receive, or Sue for and Recover the Possession of all or any of the Lands, Tenements, Hereditaments, and Premisses hereby Vested in them, or the Rents and Profits thereof, and that all Suits, either in Law or Equity for that Purpose, may be Commenced and Prosecuted in the Name or Names of any Person or Persons to be nominated for that Purpose by the said Assignees, or any Three or more of them; and that all Proceedings in the Name or Names of such Person or Persons so to be nominated by Virtue of this Act, shall be as good and effectual, to all Intents and Purposes, as if such Suits and Proceedings had been carried on in the Names of the said Assignees, or any Three or more of them; and in Case of the Death of any Person or Persons so Nominated, another Person or

Persons

persons shall or may be Nominated by the said Assignees, or any Three or more of them, and such Suit or Suits shall not abate by the Death of any such Person or Persons, but shall proceed in the Name or Names of such other Person or Persons, as shall be nominated as aforesaid.

And be it further Enacted by the Authority aforesaid, That no Person or Persons, who shall be Sued, either at Law or Equity, by the said Assignees, or any Three or more of them, or by any Person or Persons to be appointed by them, to Sue as aforesaid, by Virtue of all, or any of the Powers given them by this Act, shall have any Privilege as Member or Members of either House of Parliament, saving, as to the Persons of such Members; any thing herein before Contained, or any Law, Usage or Custom to the Contrary thereof, in any wise notwithstanding.

And be it further Enacted by the Authority aforesaid, That the said Assignees, or any Three or more of them, shall and may Nominate, and Appoint One or more Agent or Agents, Attorney or Attorneys, to Carry on such Suits as are or shall be thought to be necessary for Calling in and Recovering all or any of such Debts or Effects as aforesaid, and also for Defend-

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ing the said Assignees, or the Survivors or Survivor of them, against all such Suit or Suits as shall or may be Commenced against them, or any of them, for, or on Account of, all or any of the Trusts hereby Reposed in them; and that the said Assignees, or any Three or more of them, shall and may, out of the Money that they shall Receive, or be intitled to Receive, by Virtue of this Act, pay to such Agent or Agents, Attorney or Attorneys, such Sum or Sums of Money as they, or any of them, shall expend, together with the usual and accustomed Solicitation Fees, as also such further Sum or Sums of Money as the said Assignees, or any Three or more of them, shall think Just and Reasonable for any extraordinary Trouble, or Labour, such Agent or Agents, Attorney or Attorneys, or any of them, shall or may be at, for, or on Account of Commencing, or Prosecuting, or Defending any such Suit or Suits as aforesaid: And further, that it shall and may be Lawful to and for the said Assignees, or any Three or more of them, by and with the Consent in Writing of the Petitioning Creditors herein before mentioned, or of Two Thirds or more of them, to Give, Grant, and Assign such Part or Parts of the Estates, Effects, or Interests belonging to the Bank Creditors, Vested, or hereby intended to be Vested in the said Assignees, as a Reward or Recompence to such

such Person or Persons as they shall find have been already Serviceable, or shall hereafter be Serviceable, in Carrying into Execution the said former Acts, or any or either of them, or this present Act, or the Trusts, or any of them, reposed in the said Trustees, or in the said Assignees; Provided allways, that no such Composition, Reward, or Assignment, shall affect the said Francis Harrison's Effects, without the Consent in Writing of the said Abraham Creighton, and William Tod, their respective Executors and Administrators. CHAP. XII.

And be it further Enacted by the Authority aforesaid, That the said Assignees, or any Three or more of them, whilst the said Estates, Securities, or Debts, or any of them, remain Vested in them, or any of them, by Virtue of this Act, shall be at Liberty to Sue for, in Manner aforesaid, and recover the said Estates, and the Rents thereof, and the Money secured by, and Due, and Owing on the said several Securities, and the Debts due on them, or any of them, notwithstanding any Statute or Statutes of Limitation heretofore made to the Contrary; and that no Statute of Limitation shall be pleaded, insisted, or relied on, or any way made Use of, in any Court of Law or Equity, to Bar or in any Sort affect the Estates, Securities, or Debts, or any of them,

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whilst the same, or any of them, have been Vested in the said Trustees in the said recited Acts mentioned, or whilst the same, or any of them, shall remain Vested in the said Assignees, or any of them by Virtue hereof.

Provided allways, That nothing in this Act contained, shall extend, or be Construed to extend, to Bar, Hinder, or Prevent any Person whatsoever from having such Benefit and Advantage of the Statutes of Limitation, or any of them, as such Person had, or might have had, at the Time of Passing the said First Recited Act, in as Ample and Beneficial a Manner, as if this Act had never been made.

And Provided allways, That this Act, or any thing herein contained, shall not extend, or be construed to extend, to prevent any Person from Pleading all or any of the Statutes of Limitation, to any Action or Suit which shall be brought for Recovery of any Simple Contract, Debt or Debts whatsoever, hereby Vested, or intended to be Vested, in the said Assignees.

And be it further Enacted by the Authority aforesaid, That the said Assignees shall be accountable only for what they shall respectively Receive, and not One of them for the Receipts of the Other, or Others of them; and the said Assignees, or

or any of them, shall not be accountable for any Loss that may arise by Means of their Depositing in any known Bank of the City of Dublin, any other Money by them received out of any of the Estates and Effects hereby Vested, or intended to be Vested, in the said Assignees; and that if any of the said Assignees shall Die before all the Trusts of this Act shall be finally Executed, the surviving Assignees, or the major part of them, shall, and may, by Writing under their Hands and Seals, Nominate and Appoint such Person or Persons as they shall think proper, in the Room and Stead of the said Assignee or Assignees, so dead, which Person or Persons so Appointed, shall be an Assignee or Assignees within the Intent and Meaning of this Act, as fully and effectually, to all Intents and Purposes, as if he or they had been herein before expressly Named and Appointed an Assignee or Assignees. CHAP. XII.

And in Order to Prevent tedious and expensive Suits in Law, or in Equity, which may hereafter arise between the respective separate Creditors of Benjamin Burton, and of Samuel Burton, and the said Assignees and Bank Creditors, or some or any of them, or between any Person being, or claiming to be, Intitled to any part of the Estate or Effects hereby Vested, or intended to be Vested, in the said Assignees, or to be Paid thereout, any Sum of

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Money or other Demand, to the further Delay of the Execution of this Trust, and to the Prejudice of the Fund for Payment of the said Bank Creditors; Be it further Enacted by the Authority aforesaid, That the said Assignees, or any Three or more of them, by and with the Consent, in Writing, of the said Charles, Lord Archbishop of Dublin, Mary, Countess of Kildare, Edward, Lord Bishop of Elphin, Henry Hatch, Thomas Croker, Francis Lodge, Hugh Eccles, William Chamberlain, Thomas Wolfe, John Finlay, or Two Thirds or more of them, or of the Survivors of them, and the said Separate Creditors, their Executors, Administrators, and Assigns, and all and every other Person and Persons, being, or claiming to be, Intitled to any part of the Estates or Effects hereby Vested, or intended to be Vested, in the said Assignees, or to be paid thereout, any Sum of Money, or other Demand, shall and may Compound with each other, respectively, for their respective Demands, upon the said Estates and Effects, or make or enter into such Agreement or Agreements, or Assignment or Assignments, of such Estate or Effects, to or with such Person or Persons as they shall think proper for Preventing such Suits or Delays; and that every such Composition, Agreement, or Assignment, as shall be so made or entered into, shall be Binding and Conclusive, to, and upon

upon all and every of the ſaid Bank and ſeparate Creditors, reſpectively, their Executors, Adminiſtrators, and Aſſigns; provided that Publick Notice of ſuch intended Compoſition, Agreement, or Aſſignment, be firſt given in the Dublin Gazette, One Month before ſuch Compoſition, Agreement, or Aſſignment, ſhall be finally Executed or Concluded. Provided alſo, that no ſuch Compoſition, Agreement, or Aſſignment, as ſhall be made or entered into, by and between the ſaid Bank Creditors, and the ſaid ſeparate Creditors, or by any Executors, Adminiſtrators, Guardian, or Guardians of any Creditors therein intereſted, purſuant to this Act, or by Virtue of any of the Powers herein, ſhall be Binding or Concluſive, upon ſuch Bank and ſeparate Creditors, or ſuch Executors, Adminiſtrators, Guardian, or Guardians, of any ſuch Bank and ſeparate Creditor or Creditors, or of any Perſon or Perſons intereſted as a Bank or ſeparate Creditor or Creditors, unleſs the ſame ſhall alſo be Agreed to, and Signed by ſuch petitioning Creditors, or the Survivors of them, or Two Thirds of them, or the Survivors of them, and the ſeparate Creditors, reſpectively, or by thoſe authorized by them reſpectively: Provided alſo, That no Creditor or Creditors ſhall be Obliged or Compellable to Accept of a Compoſition for his, her, or their Debt or Debts,

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without the Consent, in Writing, of such Creditor or Creditors, respectively, his, her, or their respective Executors or Administrators.

And be it further Enacted by the Authority aforesaid, That no part of the Time, during which the said Securities and Debts, or any of them, shall Remain Vested in the said Assignees, or any of them, by Virtue of this Act, shall be Esteemed or Accounted any part of the Time within which the Person or Persons, respectively, who is, are, or shall be Intitled to, or interested in, all or any of the said Securities and Debts, or any of them, after the full Execution of this and the said several recited Acts of Parliament, ought by the Statute or Statutes of Limitation of Actions, or other Law, Usage, or Custom, to bring his, her, or their Action or Actions, Suit or Suits, for Recovery of any such Debt or Debts, so Secured or Owing, on or by the said several Securities, or any of them, but that such Person or Persons, respectively, shall have Allowance of all such Time as has hitherto, and shall hereafter Incur, while the said Securities and Debts, or any of them, remain Vested in the said Assignees, by Virtue of this Act; and shall and may, at any Time, within Two Years after the full

full Execution of this Act, be at Liberty to bring his, her, or their Action or Actions, Suit or Suits, for Recovery of all or any Sum or Sums of Money, so Due, or Secured and Vested in the said Assignees, the Statute of Limitations, or any Law, Statute, or Usage to the Contrary, notwithstanding. CHAP. XII.

And whereas, in and by the said recited Act, of the Twenty fifth year of his present Majesty, it is Enacted, That the Trustees therein mentioned, or any Three or more of them, shall and may, and are thereby impowered to Settle and Adjust all and every the Bills and Bill of Costs, of all and every the Agent or Agents of the said Bank Creditors, as between the Agent and Agents, and the said Bank Creditors, in and about the passing or Carrying into Execution, that and the said former Acts, or any, or either of them, or in or about any Suits or Suit at Law, or in Equity, touching or concerning any of the Trusts of that or the said former Acts, or any, or either of them; and also all and every Bills and Bill of Costs of all and every the Agent or Agents of the said Trustees, as between the said Agents and Agent, and the said Trustees, in, or about, any such Suits or Suit, as aforesaid; Provided, that the said Agent or Agents should Ex-

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hibit his, her, or their Claim or Claims, on or before the First Day of October, then next; and provided, that the said Trustees should Determine such Claim or Claims, on or before the Thirty first Day March, One thousand seven hundred and fifty three.

And whereas Robert Roberts, Esquire, Deceased, late Agent to the said Creditors and Trustees for the said Matters, did Exhibit his Claim, whereon an Adjudication was made, within the Time limited for the said Purposes, by the said Act;

And whereas several Articles, amounting to a considerable Sum, and which were Taxed by One of the Masters of the High Court of Chancery, to be really and justly Due to the said Robert Roberts, were not allowed to him by the said Trustees, upon the said Adjudication, by Reason of an Engagement formerly Entered into by the said Bank Creditors, to allow the said Robert Roberts Three Pence in the Pound, for all the Sums Raised, or to be Raised for their Use, payable out of such Sum or Sums of Money as they should Receive, for, or on Account of the Interest due for their respective Demands.

And

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And whereas there is great Reason to Apprehend, that the Fund for Payment of the said Bank Creditors, will not Amount to more than will Satisfy the Principal Money remaining Due to them, respectively, after Payment of all Costs and Expences attending the Passing and Execution of this Act, and the former Acts, without Payment of any such Interest; by Means whereof the Representatives of the said Robert Roberts, are likely to lose a Considerable Part of their Demand.

And be it Enacted by the Authority aforesaid, That the said Assignees, or any Three or more of them, do, and shall, and are hereby impowered to Pay the Amount of all such Articles as were not allowed by the said Trustees, as aforesaid, to the Representatives of the said Robert Roberts, out of such Money as shall come to their Hands, and belong to the said Bank Creditors, only in Lieu and Satisfaction of the said Three Pence in the Pound, and any Thing herein, or in the said former Acts, or any, or either of them, to the contrary notwithstanding.

And be it further Enacted by the Authority aforesaid, That the said Assignees, or any Three or more of them, do, and shall, and are hereby Impowered, to Settle

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and Adjust, all and every such other Bills and Bill of Costs, of all and every the Agent and Agents of the said Bank Creditors, in and about carrying the said former Acts, or any, or either of them, into Execution, or in, or about any Suit or Suits whatsoever, Touching, or Concerning, or any way Relating to the said former Acts, or any, or either of them, which shall, or may have Accrued, or become Due, since the first Day of October, in the said Act of the Twenty fifth year of His present Majesty's Reign, mentioned; and, when said Bill and Bills of Costs shall be Adjusted, and Settled, to pay the same out of the Produce of the Effects Vested in them, and belonging to the said Bank Creditors only, as aforesaid.

Provided allways, that any Person or Persons, thinking him or themselves Aggrieved, by any such Taxation or Taxations, may Appeal from the same, by Petition, to the Lord High Chancellor.

And be it further Enacted by the Authority aforesaid, That the said Assignees, or Three or more of them, by Writing under their Hands and Seals, shall, and may Nominate and Appoint One or Two Person or Persons, to Officiate under them, during their Pleasure, in the Capacity of a Clerk or Book-keeper, who shall

shall keep One or more Distinct Book or Books of Account, wherein he or they shall duly Enter all Sum and Sums of Money, which the said Assignees, or any Three or more of them, shall have got or Received, out of the said Effects, hereby Vested or intended to be Vested in the said Assignees; and all Sum and Sums of Money, which the said Assignees, or any Three or more of them, shall, from Time to Time, pay, Lay out, and Expend, in Discharge of the said Trusts hereby Reposed in them, to which Book or Books of Account, all Persons interested in the said Effects so Vested, shall, at all Reasonable Times, have free Resort, and Inspect the same, as often as he or they shall think fit; and that the said Clerk or Clerks, Book-keeper or Book-keepers, shall have for his and their Service or Services, such a Salary or Salaries Yearly, or according to the Yearly Rate, not exceeding in the Whole, by the Year, the Sum of Sixty Pounds, as the said Assignees, or any Three or more of them, shall, by Writing under their Hands and Seals, Direct and Appoint to be paid by the said Assignees, or any Three or more of them, out of the Produce of the said Effects hereby Vested in them, and belonging to the said Bank Creditors only.

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And be it Enacted by the Authority aforesaid, That the Sum of Two Pence in the Pound, for each, and every Pound which shall be Raised by the said Assignees out of the said Effects, so Vested in them, by Virtue of this Act, over and above the Charges of obtaining the same, and over and above all the other Costs, Expences, and Disbursements attending the Execution of this Act, and the Suing for, Recovering, or Defending the said Effects hereby Vested in the said Assignees, shall be paid unto the said Assignees, or such of them as shall Act therein, or in the Trust hereby Reposed in them.

And be it further Enacted by the Authority aforesaid, That this Act, and all, and every Clause and Clauses herein contained, and every part thereof, shall be Deemed and taken Notice of, in all Courts of Law and Equity, as a Publick Act of Parliament.

And be it further Enacted by the Authority aforesaid, That if there shall be any Overplus of the Money Arising by the Sale or Produce of the several Effects hereby Vested in the said Assignees, after the Performance of all the said Trusts relative to the said Effects, respectively, the same shall go, and belong, and be applied to, and for the Use and Benefit, of such Person or Persons, as would have been

Intitled

Intitled to the ſame, if this, and the ſaid former Acts, or any, or either of them, had never been made. CHAP. XII.

And whereas by Indenture, bearing Date the Eleventh Day of June, in the Year of Our Lord, One thouſand ſeven hundred and eight, made, or mentioned to be made, between Charles Campbell, late of the City of Dublin Eſquire, Deceaſed, of the firſt Part, Edward Stratford, late of Belon, in the County of Kildare Eſquire, Deceaſed, and Roger Briſtow, late of Caſtle Hill, in the County of Down Gentleman, Deceaſed, of the ſecond Part, and the ſaid Benjamin Burton of the third Part, Reciting, that a Marriage was then intended, between the ſaid Samuel Burton, and Anne the Daughter and only Child of the ſaid Charles Campbell, and that it was part of the Marriage Agreement, that the ſaid Charles Campbell, ſhould pay down the Sum of Three thouſand five hundred Pounds, and ſecure the Payment of ſuch further Sum, at ſuch Time, and in ſuch Manner, as in the ſaid Indenture is Expreſſed, the ſaid Charles Campbell, in Execution and Performance of the ſaid Marriage Agreement, on his Part, and for Securing ſuch of the Sums of Five hundred Pounds, or Three thouſand five hundred Pounds, unto the ſaid Benjamin

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Burton, his Executors, Administrators, and Assigns, as should, according to the Intent and true Meaning of the said Indenture, become payable; and likewise in Consideration of the Sum of Five Shillings a piece in hand, paid by the said Edward Stratford and Roger Bristow, Granted, Bargained, Sold, Demised, Set, and to Farm Let, unto the said Edward Stratford and Roger Bristow, their Executors, Administrators, and Assigns, the Tolbus and Lands of Great Cookestown, Little Cookestown, Gerrardstown, *alias* Geraldstown, Trevot, Ballydoghan, *alias* Ballydoghnan, Snipestown, and Sealestown, all in the Barony of Skreen and County of Meath, the Poles, Tolbus, and Lands of Ballaghanmore, Ballaghanbegg, Lissneclugg, Carrickdonow, *alias* Carriglenchoe, both the Raths, Ballynnclorgan, *alias* Ballinlorgnan, New Castle, Mullaghboy, and Cardoway, *alias* Culdery, with all the Inferior and Subdenominations to the said Poles and Lands belonging, commonly called and known by the Name of the Ten Poles, and containing in the Whole, by common Estimation, Nine hundred and twelve Acres, profitable Land, plantation Measure (be the same more or less) Situate, Lying, and Being in the Barony of Slane and County of Meath, as also, all those the Poles, Tolbus, and Lands of Donree, *alias* Liscomeree, *alias* Dromereagh,

Digen

Digen Caffry, *alias* Derenn Caffry, Dromgeald, Liſſgowanbegg, Liſſgowanmore, Drumhalpin, Carriglaſs, Dromſkier *alias* Dromſkerry, Raghre *alias* Raragh, Cornkilly, Corgy *alias* Cornagee, Carrynagowen, Dromeran, Liſmoore, Knockacappill *alias* Knockacapill *alias* Merehill, Roragh *alias* Rakay, and Liſſrevogh *alias* Liſſreagh, with all the Inferior and Subdenominations to the ſaid laſt mentioned Poles and Lands belonging, commonly called and knowen by the Name of the Seventeen Poles; and containing in the Whole, by common Eſtimation, Twelve hundred and thirty ſix Acres, profitable Land, plantation Meaſure, be the ſame more or leſs, Situate, Lying, and Being in the Barony of Clonkee, and County of Cavan, and the Tolbo and Lands of Moneſter Boyce, in the Barony of Ferrard and County of Lowth, together with all and Singular, the Rights, Members, Privileges, Advantages, Emoluments, Appendances, and Appurtenances thereunto belonging, or in any wiſe Appertaining, to hold all and Singular, the ſaid Lands and Premiſſes, with their Appurtenances, from the Date of the ſaid Indenture, for, and during the full End and Term of Ninety nine Years, at the Yearly Rent of a Pepper Corn, if lawfully Demanded, upon Truſt and Confidence; and to the Intent and Purpoſe, that the ſaid Edward Stratford and Roger Briſtow, and the Survivor

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vivor of them, and the Executors and Administrators of such Survivor, should, by Demise or Mortgage of the said Term, or any Part thereof, or otherwise, as they should think fit, Raise and Levy, such of the said Sums of Five hundred Pounds, or, Three thousand five hundred Pounds, as should become Due and payable to the said Benjamin Burton, according to the Intent and Meaning of the said Indenture, to be paid at such Times, and in such Manner, as is thereby Declared (that is to say) in Case the said Anne Campbell happened to Die, within the Space of Two Years from the Date of the said Indenture, without Issue of her Body then Living, or if she should leave any Issue, and such Issue should Die within the Time aforesaid, then the said Edward Stratford and Roger Bristow, should Raise and Levy the Sum of Five hundred Pounds Sterling, and no more, within One Month after the Death or Second Marriage of the said Charles Campbell, which should first happen, and pay the same to the said Benjamin Burton, his Executors, Administrators or Assigns, within the Time aforesaid, with lawful Interest for the said Sum of Five hundred Pounds, from the Death or Second Marriage of the said Charles Campbell, to the Time of Payment; but if the said Anne should Die,

Die, within the said Term of Two years, from the Date of the said Indenture, leaving Issue of her Body begotten, and such Issue should outlive the said Term of Two Years, or if she should happen to live beyond the said Term of Two Years, then the said Edward Stratford and Roger Bristow, and the Survivor of them, and the Executors and Administrators of such Survivor should Raise and Levy, by Demise or Mortgage of the Premisses, or any part thereof, or by such other Ways and Means as they should think fit, the Sum of Three Thousand five Hundred pounds, within Three Months next after the Day of the said Charles Campbell's Second Marriage, or Day of his Death, which should first happen, and pay the same to the said Benjamin Burton, his Executors, Administrators, or Assigns, with Lawful Interest for the same, from the Death or Second Marriage of the said Charles Campbell; and it is provided, in and by the said Indenture, that whensoever such of the said Sums as should become Due and payable, as aforesaid, and all the Interest for the same, together with all Costs and Charges that should be expended in, or about the Execution of the said Trusts, should be Raised, Levied, and paid, that then, and from thenceforth, the said Term of Ninety nine Years, should Cease, Determine, and be Void to all Intents

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tents and Purposes whatsoever; as by the said Indenture, Relation being thereunto had, may more fully appear.

And whereas the said Marriage was afterwards had and Solemnized, and the said Anne departed this Life, on or about the Twentieth Day of October, in the Year One thousand seven hundred and fourteen, leaving Issue of her Body begotten by the said Samuel Burton, Benjamin Burton, now of Burton-Hall in the County of Carlow, Esquire, her only Son, and Catherine Burton, now the Right Honourable Catherine, Lady Viscountess Dowager Nettirvill, her only Daughter.

And whereas the said Charles Campbell departed this Life, on or about the Twenty ninth Day of October, in the Year One thousand seven hundred and twenty five, leaving the said Benjamin Burton, now of Burton-Hall, his Grandson and Heir at Law, an Infant of the Age of Twelve Years, or thereabouts; but before his Death, duly made and published his Last Will and Testament in Writing, and thereby Devised his Real Estate, of the clear Yearly Value of One thousand five hundred Pounds and upwards, and also his Personal Estate (after Payment of his Debts and Legacies) in Manner in the said Will Expressed, to the said Benjamin Burton, now of Burton-Hall, his Grandson, for Life, Remainder,

mainder to his First and other Sons in Tail Male, with divers Remainders over; and of his said Will constituted and appointed Bruen Worthington, Esquire, John Moore, Merchant, and William Colvill, Gentleman, his Executors, who duly proved the same in the Prerogative Court of this Kingdom. CHAP. XII.

And whereas by the Death of the said Charles Campbell, the said Benjamin Burton, the Elder, became intitled to the said Sum of Three Thousand Five Hundred Pounds, Secured in the Manner aforesaid.

And whereas the said Benjamin Burton, the Elder, departed this Life, on, or about the Thirteenth Day of May, in the Year One thousand seven hundred and Twenty eight, having first made his Will, and thereof appointed the said Samuel Burton, his eldest Son, sole Executor and Residuary Legatee, who thereby became intitled to the Trusts of the said Term of Ninety nine Years herein before mentioned, and to the said Sum of Three Thousand Five Hundred Pounds secured thereby

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And whereas the said Samuel Burton, soon after the Death of the said Charles Campbell, was appointed Guardian by the Court of Chancery in this Kingdom, of the said Benjamin Burton, now of Burton-Hall, his Son, then an Infant, of the Age of Twelve Years, or thereabouts, and thereupon entered into the possession of all and singular the Mortgaged Lands, Tenements and Hereditaments herein before mentioned, and all other the Real Estate of the said Charles Cambell, amounting in Value, in the whole, to the clear Yearly Sum of One Thousand Five Hundred Pounds Sterling, and upwards, and Received the Rents, Issues, and Profits thereof, and Converted the same to his own Use, and Died, leaving his Son, the said Benjamin Burton, an Infant, under the Age of Twenty one Years, without rendering any Account whatsoever for the same.

And whereas the said Samuel Burton by his Bond or Obligation, bearing Date the Twenty second Day of Novembe[illegible] One Thousand seven hundred and th[illegible] seven, became bound to the said Brien [illegible]on, John Moore, and William Colvil[illegible]e-nal Sum of Two Hundre[illegible]ty Five Pounds and Twelve S[illegible]on-[illegible]ned

ditioned for Payment of One Hundred and Twenty Two Pounds Sixteen Shillings on the Twenty second Day of November, in the Year One thousand seven hundred and twenty nine, with Lawful Interest for the same, which said Bond was entered into by the said Samuel Burton, for part of the said Charles Campbell's Personal Estate which came to his Hands, and was applied by him to his own Use.

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And whereas the said Samuel Burton also possessed himself of several other Parcels of Goods, Part of the Personal Estate of the said Charles Campbell, amounting in Value to the Sum of One Thousand Pounds Two Shillings and Ten Pence, and for Securing the Payment of the said Sum by Deed or Specialty in Writing duly executed under his Hand and Seal, and Dated the first Day of December, in the Year One thousand Seven hundred and twenty seven, Covenanted to, and with the said Bruen Worthington, John Moore, and William Colvill, that he the said Samuel Burton, his Heirs, Executors, or Administrators, should, and would pay unto the said Bruen Worthington, John Moore, and William Colvill, or the Survivor of them, or the Executors, or Administrators of such Survivor, the said

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Sum of One Thousand pounds Two Shillings and Ten pence on Demand.

And whereas the said Samuel Burton afterwards (that is to say) on or about the Eighth Day of July, One thousand seven hundred and thirty three, departed this Life, having first made his Will, and thereof appointed John Hardy, Esquire, Francis Burton, Esquire, both since dead, Francis Bindon, Esquire, and the said Benjamin Burton, now of Burton-Hall, his Executors, and bequeathed the Residue of his personal Fortune, after payment of his Debts and Legacies, to his Son the said Benjamin Burton, now of Burton-Hall, for his own Use.

And whereas the said Bank, kept by Samuel Burton and Daniel Falkiner, were also indebted to the Executors of the said Charles Campbell, by their Cash Note, and by Ballance of an Account in the Sum of One Hundred and Nine pounds Eleven Shillings and Ten pence; which said three Sums last mentioned, amount, in the whole, to the Sum of One Thousand Two Hundred and Thirty Two pounds Ten Shillings and Eight pence, principal Money.

And

And whereas, on or about the Ninth Day of March, in the Year One thousand seven hundred and thirty five, the Executors of the said Charles Campbell obtained Decrees before said Trustees, for the said three several Principal Sums, with the Interest thereof, but no part of the said Sums have been since paid, or accounted for.

And whereas the said Bruen Worthington and John Moore died several Years ago, and the said William Colvill survived them, and died on or about the Month of March, in the Year One Thousand seven hundred and fifty five, Intestate, and the said Benjamin Burton, now of Burton-Hall, on his Decease, obtained Letters of Administration out of his Majesty's Court of Prerogative in this Kingdom, of the Personal Estate of the said Charles Campbell, Unadministered, with his Will annexed, by Virtue whereof he is now intitled to such part of the said Personal Estate as is unreceived.

And whereas Suits and Controversies were likely to Arise, by, and between the said Trustees and Creditors of the said Bank, and the said Benjamin Burton, now of Burton-Hall, touching and concerning the

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Money alledged to be Due upon, or Secured by the said Mortgage for Ninety nine years, herein before mentioned, the said Benjamin Burton, now of Burton-Hall, insisting, that the said Mortgage, or Term for Ninety nine Years, herein before mentioned, and the Money due and secured thereby from, and immediately after the Death of the said Benjamin Burton, his Grandfather, Vested in the said Samuel Burton, as his Executor; and that all the Rents and Profits of the said Mortgaged Premisses, as well as all other the Rents and Profits of the said Charles Campbell's Real Estate, not Comprised in the said Mortgage, which were Received by the said Samuel Burton, after the Death of the said Benjamin Burton, the Elder; And also the said several Sums, for which Decrees were Obtained before the said Trustees, as aforesaid, ought, in Equity, to be considered as Payments made to him the said Samuel Burton, in Discharge of the said Mortgage; and that upon a fair Account, it would appear, that the said Mortgage was thereby Satisfied and Paid to the said Samuel Burton, in his Lifetime, with a very considerable Overplus; and that by an Exception in the said recited Act of the Seventh Year of his present Majesty's Reign, the said Mortgage

Mortgage (being really, and, bona fide, paid, in Manner aforesaid) was not Vested in the said Trustees, and therefore cannot, in Law or Equity, be Subject to the Demands of the said Creditors; and that by the last General Saving in the said recited Act, of the Seventh Year of his Majesty's Reign, all the Right and Interest, which the said Benjamin Burton, now of Burton-Hall, was, or is Intitled to, as Representative of the said Charles Campbell, is thereby Saved, as fully as if the said recited Act had never been made. CHAP. XII.

And whereas such Suits and Controversies would greatly Impede the Execution of the said recited Acts, and lessen that Fund which now remains for Payment of the said Creditors;

And whereas the said Benjamin Burton, now of Burton-Hall, hath proposed to Release all Right, Title, Claim, Challenge, or Demand whatsoever, which he has, or claims to have in, to, or out of all and every part of the Estates, Real and personal, which did belong to the said Benjamin Burton, the Elder, his Grandfather, or Samuel Burton, his Father, or either of them, which were Vested in the said Trustees, by the said re-

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cited Acts of Parliament, or any of them, and also all Right, Title, Claim, Challenge, or Demand whatsoever, which he, the said Benjamin Burton, of Burton-Hall, can or may have in, to, or out of the said Decrees, so as aforesaid obtained, before the said Trustees, by the Executors of the said Charles Campbell, and the said Three Sums, amounting to the Sum of One thousand two hundred and thirty two Pounds Ten Shillings and eight Pence, Principal Money, and the Interest thereof, in Consideration that the said Mortgage, for and during the Residue of the said Term for Ninety nine Years, herein before mentioned, shall be Vested in a Trustee, for the Use of him the said Benjamin Burton, of Burton-Hall.

Therefore be it Enacted by the Authority aforesaid, That all and every the Lands, Tenements, and Hereditaments, herein before mentioned, or comprized in the said Indenture of the Eleventh Day of June, One thousand seven hundred and eight, with their and every of their Rights, Members, and Appurtenances, and all the Estate, Right, Title, Term and Interest thereby Granted, Bargained, and Sold, shall be, and is, and are hereby Declared and

and Enacted to be Veſted in Charles Caldwell, of the City of Dublin, Eſquire, his Executors, Adminiſtrators, and Aſſigns, for and during all the Reſt, Reſidue and Remainder of the ſaid Term of Ninety nine Years, yet to come, and unexpired, Freed and Diſcharged of and from all Claims and Demands of the ſaid Truſtees and Aſſignees, or of the ſaid ſeveral Creditors of the ſaid ſeveral Banks, and of all and every Perſon or Perſons, Claiming or Deriving by, from, or under them, or any of them, in Truſt, nevertheleſs, and to and for the ſole Uſe and Benefit of the ſaid Benjamin Burton, of Burton-Hall, his Executors, Adminiſtrators, or Aſſigns, and to and for no other Uſe, Intent, or Purpoſe whatſoever, ſubject, nevertheleſs, to the Proviſo or Condition of Redemption, in the ſaid recited Mortgage Contained. CHAP. XII.

And be it further Enacted by the Authority aforeſaid, That the ſaid Benjamin Burton, of Burton-Hall, ſhall be, and is hereby Declared and Enacted to be, Barred of all Rights, Claims, Challenges, and Demands whatſoever, which he now has, or hereafter might have, of, in, to, or out of the ſaid Decrees, ſo as aforeſaid Obtained, before the ſaid Truſtees, by the Repreſen-

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tatives of the said Charles Campbell; and the said Three Sums, amounting to the Sum of One thousand two hundred and thirty pounds ten Shillings and eight pence, Principal Money, and every Part thereof, and all Interest now Due for the same, or any part thereof, and also all Rights, Claims, Challenges, and Demands whatsoever, which he now has, or hereafter might have, of, in, to, or out of, all or any part of the Estate, Real or Personal, which did belong to the said Benjamin Burton, the Elder, his Grandfather, and the said Samuel Burton, his Father, or either of them, which were Vested in the said Trustees, by the said recited Acts, or any of them, and that the same, and every part thereof, shall be and remain Vested in the said Assignees, their Heirs, Executors, Administrators, and Assigns, respectively, upon the Trusts aforesaid, Freed and Discharged of and from all Claims and Demands of the said Benjamin Burton, now of Burton-Hall, his Heirs, Executors, and Administrators, and of all Person or Persons Claiming or Deriving by, from, or under him or them.

Saving allways, to the King's Most Excellent Majesty, and to all and every other

other Perſon or Perſons, Bodies Politick and Corporate (except the ſaid Benjamin Burton, Francis Harriſon, and Samuel Burton, Deceaſed, the ſaid Daniel Falkiner, and the ſaid Truſtees, and the ſaid Benjamin Burton, now of Burton-Hall, and all Perſons Claiming and Deriving by, from, or under them, or any of them) all ſuch Right, Title, and Intereſt, as they, or any of them, might have had, in Caſe this and the ſaid former Acts had never been made. CHAP. XII.

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Burton, Francis Hanlon, and Samuel Burton, Executors, the late Daniel Falkiner, and the late Benjamin Burtons, and the late Benjamin Burton, both of Burton-Hall, and all persons claiming by and through them, or any of them, all their Right, Title, and Interest, as they, or any of them, might have had, in Case the said Letters Patent had not been made.

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AN

ACT

TO

Explain and Amend the ſeveral Laws made in this Kingdom, for the effectual Preſervation of Salmon, Fiſh, and Fry; and for the better Improvement of the Herring-Fiſhery.



DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's Arms* and *Two Bibles* in *Eſſex-Street*. MDCCLVIII.

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XIII.

AN

ACT

TO

Explain and Amend the several Laws made in this Kingdom, for the effectual Preservation of Salmon, Fish, and Fry; and for the better Improvement of the Herring-Fishery.

DUBLIN:

Printed by the Executor of Grace Graham Grierson, Printer to the King's Most Excellent Majesty, at the King's Arms and Two Bibles in Essex-Street. MDCCLVIII.

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AN ACT TO

Explain and Amend the several Laws made in this Kingdom, for the more Effectual Preservation of Salmon, Fish, and Fry; and for the better Improvement of the Herring-Fishery.

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WHEREAS the Laws now in Force for Preservation of Salmon in the Spawning Season, are found to be ineffectual;

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For Remedy whereof, Be it Enacted by the King's Most Excellent Majesty, by

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and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That from and after the Twenty fifth Day of March, One thousand seven hundred and fifty eight, no Person whatsoever shall, at any Time between the Twelfth Day of August and First Day of February, in any Year, Fish in any River with any Net, Fishing-Rod, or other Instrument, or Carry on the Bank of any River, any Gaff, Loop, Net, Lister, or Spear, or any other Instrument for Killing of Salmon; and if any Person shall Offend herein, every such Offender, being thereof Convicted, by Confession, or by the Testimony of One sufficient Witness, upon Oath, before some One Justice of the Peace for the County where such Offence shall be Committed, (which Oath such Justice of the Peace is hereby Impowered and Required to Administer) shall, for every such Offence, Forfeit the Sum of Five Pounds, Sterling, to be Levied by the Warrant of such Justice, by Distress and Sale of the Offenders Goods; and if no sufficient Distress can be found, the Offender shall, by the like Warrant, be Committed to the County Goal, there to remain, without Bail or Mainprize, for such Time, not exceeding Three Months, nor less than One

One Month, as such Justice of the Peace shall Appoint, unless the said Forfeiture shall in the mean Time be Paid; in which Case, the Offender shall be Enlarged: and it shall and may be lawful, to and for any Person or Persons, to Apprehend, and Carry every such Offender before the next Justice of the Peace, for the County where such Offence shall be Committed, together with such of the said Instruments as shall be found in his Hands, without any Warrant, other than the Authority hereby Given. CHAP. XIII.

And be it further Enacted by the Authority aforesaid, That every Proprietor, or Farmer, of any Salmon Fishery, or other Person whatsoever, who shall, at any Time between the Twelfth of August and First Day of January, in any Year, Kill, or Take, or be Aiding or Abetting, or Accessary to the Killing, or Taking of Salmon in any River, being thereof Convicted, by Confession, or by the Testimony of Two sufficient Witnesses, upon Oath, before any Justice of the Peace, for the County where such Offence shall be Committed (which Oath such Justice of the Peace is hereby Impowered and Required to Administer) shall, for every Salmon so Killed or Taken, Forfeit the Sum of Forty Shillings, to be Levied by the Warrant of such Justice,

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by Distress and Sale of the Offenders Goods, so as such Forfeiture, upon any One Conviction, do not exceed the Sum of Twenty Pounds, Sterling: Or if any Person or Persons shall, in the Night-time, from the Twelfth Day of August to the First Day of February, in any Year, make Use of any lighted Torch, or any Light, in any River, Banks of a Ford in any River, or Water-Course leading to a River, with Intention to Kill, or Take Salmon, being thereof Convicted, as aforesaid, such Person or Persons shall, for every Offence, Forfeit the Sum of Five Pounds, to be Sued for, and Recovered, in Manner herein before Directed, to be paid to the Person or Persons Discovering the same; and that the making Use of any such lighted Torch, or any other Light, in Manner aforesaid, is hereby Declared to be Evidence of such Intention, against the Person or Persons on whom the same shall be found, unless the Contrary shall appear: And if no sufficient Distress shall be found, the Offender shall, by Warrant under the Hand and Seal of the Justice of the Peace before whom such Offender shall be Convicted, be Committed to the County Goal, there to remain, without Bail or Mainprize, for any Time, not exceeding Six Months, and not less than Three Months.

Provided

Provided allways, That nothing herein Contained, shall Extend, or be construed to Extend, to the Rivers Rathmalton, Lackagh, Donnegall, Bundrouse, all in the County of Donnegall; the River of Sligo; the River Shannon, from the Sea to the Island of Saint Thomas, above the Salmon Weyer, belonging to the City of Limerick; the River Boyne, Lough-Lean, the Rivers of Lanne and Caragh, in the County of Kerry; the River Lee, which runs to the City of Cork; and the River Bulk, in the County of Antrim; the River Newport, in the County of Mayo; and also the River Feal, in the County of Kerry; but that it shall and may be lawful to and for any Person or Persons, Qualified or Impowered to Fish for Salmon in the said River Feal, to Kill and Take Salmon in the said River, from the First Day of February to the Twentieth Day of October, in every Year; And that if any Person or Persons shall Kill, or Take, or be Aiding, Abetting, or Accessary to the Killing or Taking of Salmon in the said River, between the Twentieth Day of October and the First Day of February, in any Year, such Person or Persons so Offending, shall, for every such Offence, be, and are hereby made liable to the several and respective Penalties herein

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before mentioned, to be Sued for, and Recovered in Manner herein before Directed.

And whereas Salmon Fry have often been Destroyed by Nets, Set at Eel Wyers, and other Wyers, and Mill Courses, on Pretence of Fishing for Eels, in Seasons of the Year Improper for such Eel Fishing; Be it Enacted by the Authority aforesaid, That from and after the Twenty fifth Day of March, One thousand seven hundred and fifty eight, all and every Person and Persons, who shall at any Time, between the First Day of March and First Day of June, in any Year, Set any Nets, Cohill Net, Cleave, or any other Instrument or Engine, with a Pretence to take Eels, whereby Salmon Fry may be taken and Destroyed, or Fish, or be Aiding or Abetting, or Accessary to the Fishing, with any Set or Fixed Net, or Cohill Net, in any River, or in any Lake, or Water Course, leading from any River, being thereof Convicted by Confession, or by the Testimony of One sufficient Witness upon Oath, before any Justice of the Peace for the County where such Offence shall be Committed (which Oath such Justice of the Peace is hereby Impowered and Required to Administer) shall, for every such Offence, Forfeit the Sum of Ten Pounds Sterling, to be Levied

Levied by the Warrant of such Justice, by Distress and Sale of the Offenders Goods; and if no sufficient Distress can be found, the Offender shall, by the like Warrant, be committed to the County Goal, there to Remain without Bail or Mainprize, for such Time, not exceeding Six Months, nor less than Three Months, as such Justice shall Appoint, unless such Forfeiture shall in the mean Time be paid, in which Case the Offender shall be Enlarged. CHAP. XIII.

Provided allways, and be it further Enacted by the Authority aforesaid, That where any of the Offences, mentioned in this Act, shall be Committed, in, or upon any River meaning between two Counties, such Offence shall and may be Prosecuted in either of such Counties.

And be it further Enacted by the Authority aforesaid, That the several Forfeitures before mentioned, shall go to the First Informer, who shall Prosecute the respective Offenders to Conviction.

Provided allways, That every Prosecution grounded on this Act, shall be Commenced within Three Kalendar Months next after the Offence Committed.

CHAP. XIII.

Provided allways, That nothing herein Contained, shall Repeal any of the Laws now in Being, relating to the Taking of Salmon, or Salmon Fry, but that the same shall continue in full Force, as if this Act had not been made, so as that no Person shall be Convicted more than once for the same Offence.

And whereas the Fishing for Herrings upon the Coasts of this Kingdom in the the Day Time, is very Prejudicial to the Herring Fisheries in General; Be it Enacted by the Authority aforesaid, That from and after the First Day of June, One thousand seven hundred and fifty eight, no Person or Persons whatsoever, shall in the Day Time (that is to say) from Sun-Rise to Sun-Set, Fish for, or Kill any Herrings, in any Harbour, on any Coast in this Kingdom, by Casting of any Net or Nets for that Purpose, under the Penalty of Forfeiting the Sum of Five Pounds for each Offence, to be Recovered in Manner herein before mentioned.

And be it further Enacted by the Authority aforesaid, That if any Person or Persons shall be Sued, for any Thing done in Pursuance of this Act, such Person or Persons shall and may Plead the General Issue,

Iſſue, and give the ſpecial Matter in Evidence; and if the Plaintiff or Plaintiffs in any ſuch Action or Suit, ſhall be Non-ſuited, or if Judgment ſhall be given againſt him or them upon Demurrer, or if a Verdict ſhall be given for the Defendant or Defendants therein, ſuch Defendant or Defendants ſhall have his or their Coſts, to be Recovered in ſuch Manner as where Coſts are by Law given to Defendants.

CHAP. XIII.

CHAP. XIV.

AN

ACT

FOR

The better Supplying the City of *Dublin* with Coals, and for the better Encouragement of the Collieries of this Kingdom.

GII. R.



DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Most Excellent Majesty, at the *King*'s-*Arms* and *Two Bibles* in *Essex-Street*. M DCC LVIII.

CHAP.
XIV.

AN

ACT

FOR

The better Supplying the City of London with Sea-Coal, and for the better Encouragement of the Colliers of this Kingdom.

CHAP. XIV.

AN ACT FOR

The better Supplying the City of *Dublin* with Coals, and for the better Encouragement of the Collieries of this Kingdom.

CHAP. XIV.

WHEREAS the Inhabitants of the City of Dublin have been frequently reduced to very great Distress for want of Coals, which is

CHAP. XIV.

greatly occasioned by the Want of sufficient and proper Encouragement to the Collieries of the Kingdom of Ireland:

For Remedy whereof, be it Enacted by the King's Most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this Present Parliament Assembled, and by the Authority of the same, That all and every Master and Owner of any Vessel, Ship or Ships, or other Dealers in Coals, who shall, after the First Day of May, in the Year of Our Lord One thousand seven hundred and fifty eight, Import into the City of Dublin, any Quantity of Coals from any of the Collieries in the Kingdom of Ireland, and shall Sell or Discharge the same in any of the Markets or Places where Coals are usually Sold or Discharged in the City of Dublin, shall, upon Performing the several Requisites herein after mentioned, receive from the Collector of the Port of Dublin for the Time Being, for every Ton of Coals so Imported from any Colliery in the Kingdom of Ireland, containing the Measure which Coals are usually Sold at, the Sum of Two Shillings.

Provided

CHAP. XIV.

Provided allways, and be it Enacted by the Authority aforesaid, That no Master or Owner of any Vessel, Ship or Ships, or other Dealers in Coals, shall be intitled to Receive the said Sum of Two Shillings for each Ton of Coals so Imported from any of the Collieries in the Kingdom of Ireland, unless such Master or Owner, or other Dealers in Coals, shall produce a Cocket, or Clearance, from the Collector of the Custom-House at such Port from whence such Coals have been brought; which Cocket, or Clearance, shall contain the Name of the Vessel or Ship, and of the Master and Owner thereof, and the Quantity of Coals so Shipped, and the Name of the Colliery from whence the same were brought to such Port, and that the same are all Irish Coals, without any Mixture of Coals from any other Country, the Contents of which Cocket, or Clearance, shall be proved by Oath of the Master or Owner of such Vessel or Ship made before the Collector or his Clerk (which Oath the said Collector, or his Clerk, are hereby impowered and required to Administer) for which Cocket, or Clearance, the Master or Owner of such Ship, or Vessel, shall pay the Sum

CHAP. XIV.

of One Shilling and One Penny, and no more.

Provided also, that the Master or Owner of such Ship, or Vessel, that shall Carry or Import such Coals into the City of Dublin, shall make Oath before the Collector of the Port of Dublin, which Oath the said Collector is hereby impowered and required to Administer, that the full Quantity of Coals, specified in the Cocket, or Clearance, has been Sold or Discharged by him, or them, in the City of Dublin, without any Fraud, or mixing therewith any Coals from any other Kingdom or Place, for which Affidavit and Envoice, the said Master or Owner shall pay the Sum of Six Pence, and no more.

And be it Enacted by the Authority aforesaid, That if any Person or Persons shall Forge any such Cocket, or Clearance, or shall knowingly Swear any Thing which is False in any Affidavit hereby Ordered to be made, he or they shall, upon Conviction thereof, suffer such Punishment as Persons Convicted of Wilful and Corrupt Perjury are, by the Laws of this Realm, subject to.

And

And be it Enacted by the Authority aforesaid, That such Collector shall be allowed in his Account whatever Sum or Sums of Money he shall pay in pursuance of this Act.

Provided allways, and be it further Enacted by the Authority aforesaid, That this Act shall continue in Force until the First Day of May, which will be in the Year of Our Lord One thousand seven hundred and sixty six, and from thence to the End of the then next Session of Parliament, and no longer.

CAP. XIV.

CHAP. XV.

AN

ACT

TO

Prevent Unlawful Combinations, to Raiſe the Price of Coals, in the City of *Dublin*.

GR



DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's-Arms* and *Two Bibles* in *Eſſex-Street*. MDCCLVIII.

CHAP.
XV.

A N

ACT

To

Prevent Unlawful Combinations, to
Raise the Price of Coals, in the
City of Dublin.

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Printer to the King's Most Excellent Majesty, at the King's-
Arms and Two Bibles in Essex-Street. MDCCLVIII.

CHAP. XV.

AN

ACT

TO

Prevent Unlawful Combinations, to Raise the Price of Coals, in the City of *Dublin*.

CHAP. XV.

CHAP. XV.

WHEREAS several Contracti-ous have been of late entered into, in Order to Raise the Price of Coals in the City of Dublin, to the great Prejudice of the Inhabitants thereof.

CHAP. XV.

For Remedy whereof, be it Enacted by the King's most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this Present Parliament Assembled, and by the Authority of the same, That all Contracts or Agreements, between any Coal Owners, Masters, or Owners of Ships, Coal Factors, or other persons concerned in the Coal Trade, for Raising the Price of Coals, or Restraining any persons from freely Selling, Buying, Unloading, or Disposing of Coals, be Declared Illegal and Void; and that if any person shall Make, Enter into, Act in, or be knowingly Concerned in any such Contract or Agreement, every Person so Offending therein, shall, for every such Offence, Forfeit the Sum of One hundred Pounds, to be Recovered in any of the Four Courts in Dublin, by Action of Debt, Bill, Plaint, or Information, in which no Essoign, Wager of Law, or more than one Imparlance shall be Allowed, the one Moiety thereof to the Governours of the Work-House, for the Use of the Children of the Work-House of the City of Dublin, and the other Moiety to the Person who shall Sue for the same.

And

And for the better Discovery of such Practices, be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for the Informer, or Plaintiff, in such Action, to Exhibit Personal Interrogatories against such of the Defendants in such Information or Action, as he shall think fit, in the Court where such Suit or Information shall Depend, and thereby oblige such Defendant or Defendants, on their Corporal Oaths, to Discover all such Contracts or Agreements, and the Names of the several Persons who have Acted, or been any Way Concerned therein, to which Interrogatories, such Defendant or Defendants shall put in a Full and distinct Answer, and shall not, by Plea, or Demurrer, Cover or Conceal the same; any Law or Usage to the Contrary, notwithstanding; which Oath, the Court where such Suit shall be Depending, is hereby Impowered to Administer, and to Grant One or more Attachments against such Defendant or Defendants, who shall Neglect or Refuse to make such Answer as aforesaid.

Provided allways, That the Person or Persons, who shall so Answer and Discover, as aforesaid, shall be Acquitted and Discharged from any further Prosecution

CHAP. XV.

in the said Suit and Information, and from any Punishment, Forfeiture, or Penalty, which he or they may have Incurred, for, or by Reason of any Matter or Thing Discovered in such Answer; and his or their Names shall be struck out of such Bill or Information, by Order of the said Court, and he or they may be Examined as a Witness or Witnesses against the other Defendants, or Persons Concerned; any Law or Usage to the Contrary thereof, notwithstanding.

AN

CHAP. XVI.

AN

ACT

FOR

The Recovery of Small Debts, in a Summary Way, in the City of *Dublin*, and the Liberties thereof.



DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Most Excellent Majesty, at the *King*'s *Arms* and *Two Bibles* in *Essex-Street*. MDCCLVIII.

Anno Regni Tricesimo primo, &c.

CHAP. XIX.

AN ACT FOR

The Recovery of Small Debts, in a Summary Way, in the City of Dublin, and the Liberties thereof.

DUBLIN:

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AN ACT FOR

The Recovery of Small Debts, in a Summary Way, in the City of *Dublin*, and the Liberties thereof.

CHAP. XVI.

CHAP. XVI.

WHEREAS the Method of Recovering Small Debts, in a Summary Way, by Civil Bill, hath been found by Experience to be highly beneficial to the Subject;

CHAP. XVI.

And whereas the several Acts heretofore made for this Purpose, in the Second and Eight Years of the Reign of his late Majesty King George the First, and in the First Year of his present Majesty, not Extending to the County of the City of Dublin, the Traders and Manufacturers, as well as the other Inhabitants of the said City, are put to more Tedious and Expensive Suits, for the Recovery of their Small Debts, than any other of his Majesty's Subjects of this Kingdom:

For Remedy whereof, and for the Encouragement and Advantage of Trade, Be it Enacted by the King's Most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That from and after the First Day of September, One thousand seven hundred and fifty eight, it shall and may be lawful to and for the Recorder of the said City, for the Time being, and he is hereby Impowered, Twice in every Year, at the Times herein after Appointed, to Hear and Determine, in a Summary Way, by English Bill, or Paper Petition, all Disputes

putes and Differences, between Party and Party, Arising within the Liberties and Jurisdictions of the said City, for any Sum above Forty Shillings, and not exceeding Twenty Pounds, in all Actions of Debt, on any Bond, Bill, or Specialty, for Payment of Money only, and in Actions on the Case, on any Promissary Note, or Inland Bill of Exchange, or for any Sum above Forty Shillings, and not exceeding Ten Pounds, in all Actions on the Case, in Assumpsit Insimul, Computasset, Trover, Conversion, Quantum Meruit, and Detinue, and to Make and Renew such Decrees and Dismisses, with such Costs, and to Award and Issue such Execution against the Goods of the Party, with such Powers for Trying any Controverted Fact, and under such Fees, Regulations, Provisions, Directions, and Remedies, for the Enforcing the Appearance of Parties and Witnesses, and for Punishing Witnesses giving false Testimony, and Sheriffs and other Officers Neglecting their Duty in the Execution of the Premisses; and in all Respects to Exercise such Jurisdictions and Powers concerning the said English Bills, as the Judges of Assize are Impowered to Exercise, in their respective Circuits, by the said recited Act of the Second of his late Majesty, as the same now stands

CHAP. XVI.

Explained, Extended, and Amended by the said subsequent Acts, or any other subsequent Act made in this Kingdom; subject, nevertheless, to the several Provisions, Restrictions, and Qualifications, in this present Act Expressed and Contained.

Provided always, and be it further Enacted by the Authority aforesaid, That where any Dismiss, or the Sum Contained in any Decree to be Made, by Virtue of this Act, shall not exceed the Sum of Ten Pounds, that in such Case, the Sum Decreed shall be first Attempted to be Levied of the Goods and Effects of the Person or Persons against whom such Decree or Dismiss shall be Obtained; and if the same be not Levied or Paid within Three Months after Serving such Party or Parties personally with a Copy of such Decree or Dismiss, and in Case the same cannot be Served personally, and it be made appear to the Court, that it cannot then, if the same be not Levied or Paid within Three Months after Serving such Party or Parties with the same, in such Manner as is herein after Directed, for the Service of Process, then, and in such Case, it shall and may be lawful to Issue Execution against the Body of the Defendant or Defendants, in Case of a Decree,

cree, and against the Body of the Plaintiff or Plaintiffs, in Case of a Dismiss, for the Sum contained in such Decree or Dismiss, or for so much thereof, as shall, at the Time of issuing such Execution, remain unpaid. CHAP. XVI.

And be it further Enacted by the Authority aforesaid, That the Court to be held for the Determining Civil Bills, under this Act, shall be a Court of Record, to be held Twice in every Year (that is to say) on the Day Three Weeks before the Essoign Day of Easter Term, and on the Day Three Weeks before the Essoign Day of Michaelmas Term, and to be continued by Adjournment, if necessary, until the Essoign Days of said Terms respectively; and that the Prothonotaries of the Court of King's Bench and Common Pleas, the Clerk of the Pleas of the Exchequer, and the Town Clerk of the said City for the Time Being, or any Three of them, shall appoint, by an Instrument under their Hands and Seals, a sufficient Person who shall during their Pleasure, act as Register, or Clerk of such Civil Bills, and be removeable by the Recorder, for any Misbehaviour in the Execution of said Office, and that the said Person so to be appointed, as aforesaid, shall be intitled to Receive such Fees as the Judges Clerk,

CHAP. XVI.

or Register of Civil Bills is intitled to Receive by Virtue of the before mentioned Acts, or any of them, to be accounted for, and paid to the said Prothonotaries of the Courts of King's Bench and Common Pleas, the Clerk of the Pleas of the Court of Exchequer, and Town Clerk of the said City, equally Share and Share alike.

Provided allways, that if such Person shall not be appointed as aforesaid, that then, and in such Case, the Recorder of the said City, for the Time Being, shall appoint a sufficient Person to act as Register or Clerk of the said Court, for the Purposes aforesaid, and that all Persons shall be Admitted to Practice as Attornies in the said Court, who are Qualified to Practise as such in any of his Majesty's Four Courts in Dublin.

Provided allways, and be it further Enacted by the Authority aforesaid, That when any Person shall Sue on any Civil Bill, by Virtue of this Act, within the County of the City of Dublin, the Defendant, or in his Absence, if he be not then out of the Kingdom, his Wife, Son, Daughter, or any other Relation, or Servant, of the Age of Sixteen Years, and dwelling in his House, shall be Served with Process, by shewing the Original to,

and

and leaving a Copy thereof with him, her, or them, Twelve Days inclusive, before the First Day of each of the said Sittings of the said Civil Bill Court, at which such Process shall be made Returnable, so as no Person shall be Served with such Process, but such as shall, at the Time of the Service of such Process, be Resident within the County of the said City. CHAP. XVI.

And if any Person or Persons shall think him, her, or themselves aggrieved by the Decree or Dismiss of the said Recorder, it shall and may be Lawful, to and for such Person and Persons, to Appeal from the same to the Chief Justice of His Majesty's Court of King's Bench or Common Pleas, or to the Chief Baron of His Majesty's Court of Exchequer, at their respective Sittings of Nisi Prius for the said City of Dublin, after the Easter or Michaelmas Term next following the Pronouncing such Decree or Dismiss, under such Restrictions and Regulations for stopping Proceedings on such Decree or Dismiss, and for giving Bail, or Depositing the Sum decreed, and for paying Costs, as by the said recited Acts is required on Appeals, to the next Judge of Assize, the Party or Parties so Appealing, giving Twenty Days previous Notice, in Writing, to the Party or Parties obtaining such Decree or Dismiss, or

CHAP. XVI.

to himself, or their Attorney, to which of the said Chief Judges such Appeal is intended to be made.

And the said Chief Justices and Chief Barons, or other Justices of Nisi prius for the said City, are hereby impowered and required, at their said Sittings, whereof for this purpose they may hold in their respective Courts, or in the Tholsel, or any other convenient Place in the said City, and may continue by Adjournments, as to them shall seem expedient, to hear and Determine the said Appeals, under such Regulations, with such Fees and Powers, and in such and the like Manner, as by the said recited Acts are Limited, Provided, and Appointed for Appeals to the next going Judges of Assize.

And whereas it may sometimes happen, that the Recorder of the said City may, by Reason of Sickness, or some other necessary Cause of Absence, be unable to Attend at the Times hereby Appointed for the Holding the said Civil Bill Court; Be it therefore Enacted by the Authority aforesaid, That when it shall appear to the Lord Chancellor, or Lords Commissioners of the Great Seal, for the Time Being, upon Oath, That the Recorder is, by Reason of Sickness, or other necessary Cause

of

of Abſence, unable to Attend at the Time appointed for the Holding the ſaid Civil Bill Court, that in ſuch Caſe it ſhall and may be Lawful, to and for the Lord Chancellor, or Lords Commiſſioners, for the Time Being, to appoint One of His Majeſty's Council, Learned in the Law, to Hear and Determine Civil Bills under this Act, in ſuch and the like Manner as the ſaid Recorder is hereby impowered to do, during ſuch neceſſary Cauſe of Abſence, which ſaid Council ſhall be intitled to the the ſame Fees as the Recorder would have been, if preſent, with like Remedy of Appeal from his Decree.

CHAP. XVII.

AN

ACT

TO

Prevent Frauds in Lappers and others; and to prevent Abuſes in the Manufacture of Kelp; and to prevent unlawful Combinations in Weavers and others.

GII. R.



DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's-Arms* and *Two Bibles* in *Eſſex-Street*. M DCC LVIII.

CHAP. XVII.

AN

ACT

TO

Prevent Frauds in Lappets and others; and to prevent Abuses in the Manufacture of Kelp; and to prevent unlawful Combinations in Weavers and others.

GR

DUBLIN:

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CHAP. XVII.

AN ACT

TO

Prevent Frauds in Lappers and others; and to prevent Abuses in the Manufacture of Kelp; and to prevent unlawful Combinations in Weavers and others.

CHAP. XVII.

WHEREAS several Frauds have been Committed by Lappers, which the present Laws are not sufficient to prevent, which may in Time lessen the Credit of the Linen Manufacture in Foreign Markets; Be it Enacted by the King's Most Excellent Majesty, by, and with

CHAP. XVII.

with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That if any Merchant, or Dealer in Linens, shall sustain any Loss, or Damage, by Means of any Fraud, in the Lapping of Linen, and by Damages concealed in the Lapping thereof, or by short Measure concealed in Length or Breadth; such Merchant, or Dealer, may Sue either the Lapper of such Linen, or the Security or Securities which such Lapper gave on taking out his Seals, or either of them, and may Recover from such Lapper, or his Securities, Double the Loss or Damage which he shall so sustain, the same to be recovered, if under Twenty Pounds, by Civil Bill, at the Assizes in the County where such Lapper, or his Security resides; and if the Sum exceeds Twenty Pounds, the same shall be recovered in any of his Majesty's Courts of Record in Dublin.

Provided, that if the Trustees of the Linen Manufacture shall have fined such Lappers so Offending, and Recovered the Fine, or Penalty, imposed by Virtue of the Law now in Being for that Purpose, before such Suit commenced; that in such Case, such Lapper, or his Security, shall not

not be Sued for such Damage, as aforesaid. CHAP. XVII.

And whereas it may be Difficult for such Merchant or Dealer, in such Suit, or on such Trial, to Prove who are the Security or Securities of such Lappet or Lappers, as the Bonds of such Securities are Lodged in the Hands of the Clerk of the Trustees of the Linen Manufacture; Be it Enacted by the Authority aforesaid, That the Certificate of such Clerk of the said Trustees, under his Hand and Seal (which Certificate, the said Clerk shall be Obliged to give to any such Merchant or Dealer) shall be Evidence against the Security or Securities of any Lappet or Lappers.

And Provided also, That no greater Sum shall be Recovered, from such Security or Securities, than the Amount of the Penalty of the Bond, Perfected by him or them on becoming Security.

And whereas great Abuses have been Committed in the Burning and Manufacturing of Kelp, to the Prejudice of the Linen Manufacture; Be it Enacted by the Authority aforesaid, That if any per-

CHAP. XVII.

son or Persons, shall, from, and after the First Day of May, One thousand seven hundred and fifty eight, Mix any Stone or Stones, Sand, or Gravel, amongst Kelp, in the Burning or Manufacturing thereof, or shall Sell, or Expose to Sale, any Kelp adulterated with Stones, Sand, or Gravel, knowing the same to be so adulterated, every such Person or Persons, shall Forfeit, for every such Offence, a Sum, not exceeding Six Pounds, nor less than Three Pounds Sterling; and all the Kelp so adulterated, shall be Forfeited and Disposed of, as hereafter mentioned; and every Justice of the Peace, and Chief Magistrate of any Corporate Town, within their respective Jurisdictions, are hereby Impowered to Hear and Determine the Offences aforesaid, and to Examine, upon Oath, any Witness or Witnesses for that Purpose, and may Issue a Warrant for Levying the said Penalties of the Goods and Chattels of the Offender, which shall be Paid to the Informer; and that it shall be lawful for every Justice of the Peace, or such Chief Magistrate, upon due Information upon Oath, by Warrant under Hand and Seal, to Authorize any Person or Persons, to stop any Boat or Boats, Conveying any Kelp adulterated,

as

as aforesaid, in, or out of any Harbour, or Coast-ways, from one Place to another, and to Seize such Kelp so adulterated, and to bring it before such Justice or Chief Magistrate, who shall Order the same to be broken into small Pieces, if it shall be found to be adulterated as aforesaid, and to be thrown out for Manure, on the next Adjacent Land; and all Kelp, which shall be Proved before any Justice of the Peace, or such Chief Magistrate, to be adulterated as aforesaid, shall be so Broken and Disposed of; Provided that it shall not be put, or thrown out on any Land belonging to any Justice of the Peace, or such Chief Magistrate; and every Boatman who shall be Employed in Conveying Kelp, knowing the same to be so adulterated, shall Forfeit the Sum of Forty Shillings, to be Levied as aforesaid, and to be Paid to the Informer. CHAP. XVII.

And be it further Enacted by the Authority aforesaid, That if any Weaver, Bleacher, Carrier, Lapper, Kalendar-keeper, or other Person whatsoever, Entrusted with any Linen, or Hempen Yarn, or Linen or Hempen Cloth, shall fraudulently Sell or Embezzle the same, or any Part thereof, of the Value of One

CHAP. XVII.

Shilling or upwards, such Weaver, Bleacher, Carrier, Lapper, Kalendarkeeper, or other Person, and the Receiver or Receivers thereof, knowing the same to be Embezzled, shall, for every such Offence, be Committed to Goal, without Bail or Mainprize, until Treble the Value of such Yarn or Cloth, so Embezzled, be paid to the Person Aggrieved thereby.

And be it Enacted by the Authority aforesaid, That any Person or Persons, who shall knowingly Expose, or offer to Expose to Sale in publick Market, Head or Pound Yarn, under Two Statuteable Dozen in the Pound, Grey, Purged, or White, fraudulently made up with entangled Bad or Course Yarn concealed in the Hanks, or where it appears Damped with Water, or Salt and Water, or any other Ingredient to Increase the Weight, shall, for every such Offence, Forfeit to the Informer the Sum of Forty Shillings.

And be it Enacted by the Authority aforesaid, That if any Weaver, Journeyman Weaver, or Weaver's Apprentice, or other Person or Persons Employed in the Linen Manufacture, who shall be Convicted, by One or more Credible Witness or Witnesses, upon Oath

Oath, before One or more Justices of the Peace, or Chief Magistrate within their several Jurisdictions, of Swearing, or of being Sworn into a Combination, to raise the Prices usually paid for Weaving, or who shall unlawfully Raise Mobbs for that Purpose, or shall Collect or Pay Money for any such Purpose, shall be liable to be Imprisoned, without Bail or Mainprize, for any Time, not exceeding Six Months.

CHAP. XVII.

Oath, before One of more Justices of the
peace, or Other Magistrate within their Juris-
dictions, of Declaring, or of being
seduced into Combination, to raise the Prices
of Labour, or Wages, or Lessening, or Limi-
ting the Number, or Quantity of Work
by Any Society, or Body Politic, or Corpo-
rate, or Any Company, or Any Persons,
Shall be liable to be Imprisoned, Without
Bail or Mainprize, for any Time, not exceed-
ing Six Months.

CHAP. XVIII.

AN

ACT

FOR

Making and Repairing the Road from the Town of *Caſtlecomer*, in the County of *Kilkenny*, through the Towns of *Ballyragget*, *Freſhford*, and *Hurlingford*, in the ſaid County, to the Town of *Dundrum*, in the County of *Tipperary*, and from thence through *Newcaſtle*, to the City of *Limerick*.



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CHAP.
XVIII.

AN

ACT

FOR

Making and Repairing the Road from the Town of Castleconner, in the County of Kilkenny, through the Towns of Ballyragget, Freshford, and Kilmaganny, in the said County, to the Town of Durrow, in the County of Tipperary, and from thence through Nenagh, to the City of Limerick.

DUBLIN:

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AN

ACT

FOR

Making and Repairing the Road from the Town of *Castlecomer*, in the County of *Kilkenny*, through the Towns of *Ballyragget*, *Freshford*, and *Hurlingford* in the said County, to the Town of *Dunkeran* in the County of *Tipperary*, and from thence through *Newcastle*, to the City of *Limerick*.

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WHEREAS the high way, or Road, leading from the Town of Castlecomer, in the County of Kilkenny, through the Towns of Ballyragget,

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get, Freshford and Hurlingford, in the said County, to the Town of Dundrum in the County of Tipperary, and from thence, through Newcastle, to the City of Limerick, by Reason of the several Hollow Ways, and the many and heavy Carriages, frequently passing through the same, are become so Ruinous and Bad, that in the Winter Season, many Parts thereof, are Impassable for Waggons, Carts, Carrs, and Carriages, and very Dangerous for Travellers, and cannot, by the ordinary Course appointed by the Laws and Statutes of this Realm, be effectually Amended, and kept in good and sufficient Repair; Wherefore, and to the Intent that the said Highways and Roads, may, with convenient Speed, be effectually Amended and hereafter kept in good and sufficient Repair, so that all persons may Travel through the same with safety; Be it Enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled, and by the Authority of the same, that for the better Ordering, Amending, and keeping in Repair the said Highway or Road, it shall be in the power of the Right Honourable Edmund Viscount Mountgarret, Right Honourable John Viscount Castlecomer, Sir William Evans

Evans Morres, Knight, Edmund Butler, Esquire, James Agar Esquire, William Ryves, Esquire, John Hely, Esquire, Tobias Caulfield, Esquire, Reverend Dean St. George, Richard St. George, Esquire, Richard St. George Junior, Esquire, George St. George, Esquire, Amias Bush Esquire, Aland Mason, Esquire, Thomas Newenham, Esquire, Edward Newenham, Esquire, William Tolbott, Esquire, John Hobson Esquire, James Tynte, Junior, Esquire, Reverend Arthur Webb, Reverend Robert Connell, Henry Larive, Esquire, Captain James Cunningham, Edward Walter Wilson, Esquire, William Gunne, Esquire, Walter Weldon, Esquire, George Hartpole, Esquire, John Bambrick, Esquire, Reverend Thomas Bush, John Wandesford, Gentleman, Francis Lodge, Esquire, James Edmonds, Gentleman, John Whitehead, Gentleman, Thomas Wright, Gentleman, Christopher Hunt, Esquire, Andrew Nesbitt, Gentleman, Robert Bradley, Gentleman, John Mulhall, Gentleman, Sir Thomas Maud, Baronet, Richard Pennefather, Esquire, Kinsmill Pennefather, Esquire, John Lovett, Esquire, Stephen Moore, Esquire, Morgan O'Meara Esquire, Benjamin Bunbury, Esquire, William Pennefather, Esquire, Cornwallis Maude, Esquire, Mathew Bunbury, Esquire, Daniel Gahan, Junior, Esquire, Moses Dawson, Gentleman, Nicholas Sadlier, Gentleman, William Sadlier, Gentleman,

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Reverend John Lord, Reverend Laurence Nilligan, Clement Sadlier, Gentleman, James Potter Gentleman, John Liſaght, Eſquire, Richard Kiffin, Eſquire, John Buckworth, Eſquire, Reverend Edward Moore, Richard Lockwood, Eſquire, Hamilton Lowe, Eſquire, John Lapp Indkins, Eſquire, Richard Lockwood, Junior, Eſquire, Oliver Latham, Eſquire, William Armſtrong, Eſquire, Joſeph Hollington, Gentleman, Barnaby Phelan, Gentleman, Samuel Waller, Eſquire, Richard Maunſell, Eſquire, Sir Robert Deane, Baronet, Richard Waller, Junior, Eſquire, Robert Waller, Gentleman, William Anderſon, Gentleman, Eyre Powell, Eſquire, Richard Powell, Eſquire, George Gough, Eſquire, Thomas Phelps, Gentleman, Sir William Oſborne, Baronet, Richard Maunſell, Junior Eſquire, Eaton Maunſell, Gentleman, George Wilkinſon, Gentleman, Charles Smyth, Eſquire, Sir William Barker, Baronet, John Ball, Eſquire, Maurice Cuffe, Eſquire, Redmond Morres, Eſquire, Thomas Croker, Eſquire, Charles Gore Gore, Folliott Warren, Eſquire, Samuel Mathews, Eſquire, John Blunden, Eſquire, Harard Powell, Eſquire, Reverend Nicholas Martin, John Gale, Eſquire, Samuel Philips, Eſquire, Joſeph Gale, Gentleman, William Colles, Eſquire, Reverend Robert Stuart, Edward Butler, Gentleman, Silver Oliver, Eſquire, Philip Oliver, Eſquire, Edmond Sexton Perry, Eſquire, Reve-

Reverend William Cecil Perry, who are hereby nominated and appointed Trustees of the said Road, and the Survivors of them, or any Five or more of them, or such Person or Persons, as they, or any Five or more of them, shall Authorize and Appoint to Erect, or cause to be Erected, One or more Gate, or Gates, Turnpike, or Turnpikes, in, upon, or cross any part or parts of the said Highway, and Road, and also, a Toll-House, or Toll-Houses, and there to Receive the Tolls and Duties following, before any Horse, Mare, or Gelding, Ass, or Mule, Cattle, Coach, Berlin, Chariot, Calash, Chaise, or Chair, Waggon, Wain, Cart, Carr, or other Carriage, shall be permitted to pass through the same (that is to say) for every Coach, Berlin, Chariot, Calash, Chaise, or Chair, drawn by Six Horses, Geldings, or Mares, the Sum of One Shilling and six Pence; and for every Coach, Berlin, Chariot, Calash, Chaise, or Chair, drawn by any lesser Number of Horses, Geldings, or Mares, than Six, and more than Two, One Shilling; for every Coach, Berlin, Chariot, Calash, Chaise, or Chair, drawn with Two Horses, Geldings, or Mares, Four Pence; for every Waggon, Wain, or Cart with four Wheels, the Sum of Five Shillings; for every Waggon, Wain, or Carr with Two Wheels, drawn by

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more than Two Horses, Mares, Geldings, or Oxen, the Sum of Two Shillings and Six Pence; for every Cart, Waggon, or Carr, drawn with Two Horses, Geldings, or Mares, the Sum of Four Pence; for every Carriage, commonly called a Chair, or Chaise, with One Horse, Mare, or Gelding, the Sum of Three Pence; for every Carr, or other Carriage, drawn but by One Horse, Mare, or Gelding, the Sum of One Penny Halfpenny (excepting Carrs and Horses Laden with Turf); for every other Horse, Mare, Gelding, Mule, or Ass, Laden or Unladen, and not drawing, One Penny Halfpenny; for every Drove of Oxen, Colts, or Neat Cattle, the Sum of One Shilling and eight Pence per Score and so in Proportion, for any greater or lesser Number; for every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Five Pence per Score, and so in Proportion, for any greater or Lesser Number; which said respective Sum, or Sums of Money, shall be Demanded, and taken in the Name of, or as a Toll or Duty, and the Money so to be Raised, as aforesaid, is, and shall hereby be Vested in the said Trustees; and the same, and every part thereof, shall be Paid, Applied, and Disposed of, and Assigned, to, and for the several Uses, Intents, and Purposes, and in such Manner, as is herein after mentioned

tioned and directed; and the said Trustees, or any Five or more of them, are hereby impowered, by themselves, or any Person or Persons by them, or any Five or more of them, under their Hands and Seals thereunto, authorized to Levy the Toll, or Duty, hereby required to be paid, upon any Person or Persons, who shall, after Demand made thereof, neglect or refuse to pay the same, by Distress of any Horse or Horses, or other Cattle, or Goods, upon which such Toll or Duty is, by this Act, imposed, or upon any of the Goods and Chattels of such Person or Persons who ought to pay the same, and may detain and keep the same till such Toll, or Duty, with the reasonable Charges of such Distraining, and Keeping, shall be paid; and it shall and may be Lawful, to, and for the Person or Persons so Distraining, after the Space of Five Days from the Time such Distress made and taken, to sell the Goods distrained, returning the Overplus (if any be) upon Demand, to the Owner thereof, after such Toll, Duty, and reasonable Charges for Distraining and Keeping the same, shall be paid. CHAP. XVIII.

And be it Enacted by the Authority aforesaid, That out of the first Money arising from the Profits of the several Turnpikes to be erected, by Virtue of this Act, the

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said Trustees, or any Five or more of them, shall first pay and Discharge the Expence of Procuring this Act of Parliament, and Erecting such Turnpikes, and Building such Toll-House, or Toll-Houses, and from and after such Charges and Expences shall be fully Satisfied and paid, that then, and from thenceforth, the Profits arising, and the Money to be Collected at any Turnpike, or Turnpikes, to be erected, or set up on the said Road leading from the Town of Castlecomer, in the County of Kilkenny, through the Towns of Ballyragget, Freshford, and Hurlingford, in the said County, to the Town of Dundrum in the County of Tipperary, and from thence, through Newcastle, to the City of Limerick, shall be applied for and towards the Repair of the said Road only, and not elsewhere.

And whereas by Reason of the Length of the said Road, the Depth and Nature of the Soil, and great Scarcity of Materials, the said Road cannot be made and repaired in any reasonable Time, but that it is of absolute Necessity, in order to make and amend the same effectually, that the Road from the said Town of Castlecomer, to the said Town of Hurlingford, be erected into a separate and distinct Turnpike, so as that a Toll may be collected

lected and received on that Part of the said Road, separate and distinct from the Toll to be collected and received on the other Part of the said Road, which leads from the said Town of Hurlingford to the City of Limerick; and that the Road from the said Town of Hurlingford to the City of Limerick, be erected into another separate and distinct Turnpike, so as that a Toll be collected and received, as herein is mentioned, on that Part of the said last mentioned Road, separate and distinct from the Toll to be collected or received on the other Part of the said Road, which leads from the said Town of Castlecomer to the Town of Hurlingford; Be it Enacted by the Authority aforesaid, that the Road leading from the said Town of Castlecomer to the Town of Hurlingford, may be erected into a separate and distinct Turnpike, and that a Toll may be collected and received on that Part of the said Road, separate and distinct from the Toll, to be collected or received on the other Part of the said Road, which leads from the said Town of Hurlingford to the City of Limerick; and that the Road from the said Town of Hurlingford to the City of Limerick, may be erected into another separate and distinct Turnpike, so as that a Toll may be collected and received on that Part of the said Road, separate and distinct from the Toll

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to be collected or received on the other part of the said Road, which leads from the said Town of Castlecomer to the Town of Hurlingford.

And be it further Enacted by the Authority aforesaid, That the Tolls and Duties which shall, during the Continuance of this Act, be collected at the Gates or Turnpikes to be erected on that part of the said Road which lies in the County of Kilkenny, shall be applied and laid out in the making and repairing of the Road which leads from the said Town of Castlecomer to the Town of Hurlingford; and that the Tolls and Duties which shall, during the Time aforesaid, be collected at the Gates or Turnpikes to be erected on that part of the said Road which leads from the said Town of Hurlingford, shall be applied and laid out in the Making and Repairing of the said Road, which leads from the said Town of Hurlingford to the City of Limerick, and not elsewhere.

Provided nevertheless, and be it Enacted by the Authority aforesaid, That if at any Time, during the Continuance of this Act, there shall arise any Surplus of the said Tolls and Duties hereby granted on that part of the said Road, which leads from the Town of Castlecomer to the Town of

of Hurlingford, more than what will be sufficient to answer the purposes of the said Act, that then, and from thenceforth, such Surplus shall go to, and be applied on that part of the said Road which leads from the said Town of Hurlingford to the City of Limerick, if such Aid be requisite and needful; any thing herein contained to the contrary, in any wise notwithstanding. CHAP. XVIII.

And be it further Enacted by the Authority aforesaid, that the Tickets taken at the several Gates, or Turnpikes, to be erected by Virtue of this Act, on the Road leading from the said Town of Castlecomer to the Town of Hurlingford, shall be taken and accepted of at all and every such Gates as shall be erected on the said Road from the said Town of Castlecomer to the said Town of Hurlingford, and no further.

And be it further Enacted by the Authority aforesaid, That the Tickets taken at the several Gates, or Turnpikes, to be erected, by Virtue of this Act, on the Road leading from the Town of Hurlingford to the Town of Dundrum, and from thence to the City of Limerick, shall be taken and accepted of, at all and every such Gates, as shall be erected on the said Road from the said Town of Hurlingford to the City of Limerick, and no further.

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And be it further Enacted by the Authority aforesaid, That if any Person or Persons whatsoever, Owning, Renting, or Occupying any Land near unto any Turnpike, to be Erected in pursuance of this Act, shall, for Gain, Reward, or otherwise, permit any Person or Persons whatsoever to pass through any Gate, passage, or Way, with any Coach, Berlin, Chariot, Calash, Chaise, or Chair, Waggon, Wain, Cart, Carr, or other Carriage, or Riding or Driving any Horse, Mule, Ass, or any Sort of Cattle, to avoid the payment of the Toll hereby Appointed to be Paid, and shall be thereof Convicted, upon the Oath of One or more Witness or Witnesses, before the said Trustees, or any five or more of them, or before One or more Justice or Justices of the Peace for the County wherein such Offence or Offences shall be Committed, who are hereby Impowered and Required to Administer such Oath, such Person or Persons shall Forfeit and pay to the Trustees, Authorized to put this Act in Execution, the Sum of Ten Shillings, to be Levied by Distress and Sale of the Offender's Goods, by Warrant under the Hand and Seal, or under the Hands and Seals of the said Trustees, or any Five or more of them, or such Justice or Justices, rendering

dering the Overplus (if any be) the Charges in Taking and Diſpoſing of the ſaid Goods being firſt Deducted. CHAP. XVIII.

And be it further Enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any Five or more of them, to Erect One or more Gate or Gates, Turnpike or Turnpikes, on the Side of the ſaid Highways, or Road, croſs any Lane or Way leading out of the ſaid Road, and to Build One or more Toll-Houſe or Toll-Houſes, and there to Receive and Take ſuch Toll as is Appointed by this Act to be Taken, ſo as the ſame do not Extend to a Double Charge, in Caſe of paſſing the ſame Day through any of the other Turnpikes, to be Erected by Virtue of this Act, from the Town of Caſtlecomer, in the County of Kilkenny, through the Towns of Ballyragget, Freſhford, and Hurlingford, in the ſaid County, to the Town of Dundrum, in the County of Tipperary, and from thence through Newcaſtle to the City of Limerick.

And be it further Enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Five or more of them, at their firſt Meeting, or any ſucceeding Meeting, by Writing under their Hands and Seals,

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shall and may Elect, Nominate, and Appoint, One or more fit Person or Persons to be Receiver or Receivers, Collector or Collectors of such Money, in the Name of such Toll or Duty, as shall be Due and payable by Virtue of this Act; and also One or more fit Person or Persons, to be Surveyor or Surveyors, to see the Condition of the said Highway or Road, and to see that the same be Repaired and Amended, and that the Money Arising by Virtue of this Act, be duly Applied, and from Time to Time to Remove such Collectors, Receivers, and Surveyors, or any, or either of them, as they shall see Occasion, and Appoint New Ones, in Case of Death, or of such Removal; and such Person or Persons as is or are liable, by this Act, to pay the said Toll or Duty, is, and are hereby Required to pay the same, after the Rates aforesaid, to the said Receiver or Receivers, Collector or Collectors of the said Toll or Duty, in that Behalf, from Time to Time, Appointed as aforesaid, for the Receiving such Toll or Duty; and such Surveyor or Surveyors, as aforesaid, shall, upon Oath before the said Trustees, or any Five or more of them, or before One or more Justice or Justices of the Peace, Residing near the Highway or Road, as aforesaid, which Oath, such Trustees, or any Five or more

of

of them, or such Justice or Justices is, and are hereby Impowered and Required to Administer on the First Tuesday in every Month, or oftner, if Required, during the Continuance of this Act, give a True, Exact, and Perfect Account, in Writing, under their respective Hands, of all Money which he and they, and every, or any of them, or any Persons Employed by them, or any of them, shall to such Time have Received, Paid, and Disburled, by Virtue of this Act, by Reason of their respective Offices, for which Oath, no Fee or Reward shall be Taken: And in Case any Money so Received, shall remain in their, or either of their Hands, the same shall be paid to the said Trustees, or any Five or more of them, or to such Person or Persons, as the said Trustees, or any Five or more of them, shall, by any Writing or Writings, under their Hands and Seals, Authorize and Impower to Receive the same, which shall be Disburled, and laid out in Amending the said Highway, or Road, according to the true Intent and Meaning of this Act, and not otherwise; and the said Trustees, or any Five or more of them, to whom such Account shall be given, shall, and may, out of the Money Arising by such Toll or Duty, make such Allowance to the said Receiver or Receivers, Collector or Collectors, and the Surveyor and Sur- CHAP. XVIII.

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veyors, for, and in Consideration of his and their Care and Pains respectively, taken in the Execution of his and their Office and Offices, and to such other Person and Persons, who have been, or shall be assisting in, and about procuring the said Highways and Roads to be Amended and Repaired, by Advancing and Laying out any Money, or otherwise relating thereunto, as to them shall seem good, so as such Allowance or Allowances to such Collector or Collectors, do not annually exceed Twenty Pounds, and to such Surveyor or Surveyors, any Sum not exceeding Two Shillings a Day, during such Time or Times as he or they shall be respectively Employed in the Repair of the said Road, and so as such Allowance or Allowances, to any other Person or Persons, do not exceed the Sum of Fifteen Pounds, Yearly, to each Person; and in Case the said Receiver or Receivers, Collector or Collectors of the aforesaid Toll or Duty, or any of them, shall not make such Account and Payment unto such Person and Persons, according to the Orders and Directions of the said Trustees, or any Five or more of them, as aforesaid, that then the said Justices of the Peace, at any Special Sessions, or Meeting of them, to be Holden for the County in which the said Receiver or Receivers,

teivers, Collector or Collectors, have Acted, or been Employed, and made such Default, as aforesaid, shall, and are hereby Required and Impowered to make Enquiry, and finally to Determine of and concerning such Default, as well by the Confession of the said Parties, as by the Testimony of One or more credible Witness or Witnesses, upon Oath (which Oath they are hereby Impowered and Required to Administer) without Fee or Reward; and if any Person or Persons shall be Convicted thereof, by such Justices, the said Justices shall, upon such Conviction, Commit the Party or Parties to the Common Goal of the County where such Offence shall be Committed, there to Remain, without Bail or Mainprize, until he or they shall have made a true and perfect Account and Payment, as aforesaid. CHA XVIII.

And be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Surveyor or Surveyors, and such Person or Persons as he or they shall Appoint, to Dig, Raise, Gather, Take, and Carry away, any Gravel, Furze, Sand, Stones, or other Materials, out of any Waste or Common of any Parish, Town, Village, or Hamlet, in or near where any Founderous or Ruinous Places of the said Highway or Road do lie; and

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for Want of sufficient Gravel, Furze, Sand, Stones, and other Materials, there to Dig, Gather, Raise, Take, and Carry away the same, out of any Waste or Common, of any neighbouring Parish, Town, Village, or Hamlet, without paying any Thing for the same, and where there is not sufficient of any such Materials in any Common, or Waste Ground near adjoining, it shall and may be lawful for them, by Order of the said Trustees, or any Five or more of them, to Dig, Raise, and Gather the same, in the several Grounds of any Person or Persons, not being a Garden, Orchard, Yard, or Meadow, planted Walk, or Avenue to a House, where such Materials are, or may be found, and from Time to Time to Carry such, and so much thereof, as the said Surveyor or Surveyors shall adjudge necessary for the Repairing and Amending the said Highway or Road, paying such Rates for such Materials to the Owner or Occupier of the Ground from whence the same shall be Digged, Raised, Gathered, and Carried away, as the Trustees Appointed, or to be Appointed, to put this Act in Execution, or any Five or more of them, shall Adjudge reasonable; and in Case of any Difference between such Owner and Occupier, and the said Trustees, touching the Value of the Materials,

terials, and the Damage aforesaid, the Judges of Assize, at the next General Assizes and General Goal Delivery, to be holden in the County where such Materials shall be Digged, Raised, Gathered, and from whence the same shall be Carried away, may, and shall Adjudge, Assess, and finally Determine the same. CHAP. XVIII.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful to and for the Surveyor or Surveyors, and such person and persons as he or they shall Appoint, from Time to Time, to Remove and Prevent Annoyances on any part of the said Highway or Road, hereby intended to be Repaired, by Filth, Dung, Ashes, Rubbish, Water-Courses, Sinks, or Drains, running into the said Highway or Road, and to Cleanse any Ditch or Water-Course adjoining the said Road, and to Cut down, Lop, or Top, any Trees or Bushes Growing in the said Highway, or in the Hedges or Banks adjacent to the said Highway, and to Take and Carry away the same, the Owner or Occupier Neglecting to cut down such Trees or Bushes, or to Remove such other Annoyances, for the Space of Ten Days, after Notice in Writing given for that Purpose, under the Hands of Five of the said Trustees, the Charge

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whereof, shall be reimburled the said Surveyor or Surveyors, by such Owner or Occupier neglecting to cut down the said Trees or Bushes, or to remove such other Annoyance, as aforesaid, and if after Removal of any such Annoyances, any person or persons shall again offend in like Kind, every such Person or persons so Offending, and being thereof Convicted, upon Oath of One or more Witness or Witnesses, before One or more Justice or Justices of the Peace for the County where such Offences shall be committed, shall, for every such Offence, Forfeit and Pay unto the said Trustees, Ten Shillings, to be Levied in Manner aforesaid.

And be it Enacted by the Authority aforesaid, That it shall and may be Lawful to and for the said Surveyor or Surveyors, by Order of the said Trustees, or any Five or more of them, to make, or cause to be made, Causeways, and to cut and make Drains through any Grounds lying contiguous to the said Road, and to erect Arches of Brick, Timber, or Stone thereupon; and also to widen any of the narrow Parts of the said Highway or Road, by Opening, Clearing, and Laying into the said Highway, or Road, any Ground of any Person or Persons lying contiguous to such Highway, or Road, not

not being a House, Garden, Orchard, planted Walk, or Avenue to a House; and also to cause Ditches or Trenches to be made in such places, and in such Manner, as such Surveyor or Surveyors, by Order of the Trustees, or any Five or more of them, shall adjudge Necessary for the better Amending and Keeping the said Highway, or Road, in good Repair, making such reasonable Satisfaction to the Owner or Occupier of such Ground which shall be so laid in, or into the said Highways, or Roads, through which any such Drain or Drains shall be cut, or on which any such Arch or Arches shall be made, for the Damages which he or they shall or may thereby sustain, as shall be Assessed and Adjudged by the next going Judge or Judges of Assize, or by the Justices of the Peace, or the Major Part of them, at the next General Assizes, or Quarter Sessions, to be holden for the County, in which such Ground shall be laid into the said Highways, or Roads, and through which any such Drain or Drains, Ditch or Ditches, shall be cut or made, or on which such Arch or Arches shall be erected or made, or such Causeways made, in Case of any Difference concerning the same; and if any Owner or Occupier of any Water-Course, Ditch or Ditches, adjoining to the said Highways, or Roads, shall neglect

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or refuse to Scour or Cleanse such Water Courses, and to make such Ditches so deep, and in such Manner, as the Surveyor or Surveyors shall adjudge proper and convenient, after Ten Days Notice shall be given for that Purpose, by such Surveyor or Surveyors, or such Person or Persons as shall be appointed by him or them to such Owner or Owners, it shall and may be Lawful to and for the Surveyor and Surveyors to set any Man or Men to Work, to Scour, Cleanse, and Make the same, and by Warrant in Writing under the Hands and Seals of any Five or more of the said Trustees to Levy the Charge thereof upon the Persons Goods or Estates of the Owner or Owners, Occupier or Occupiers of such Water-Courses, Ditch or Ditches, by Distress and Sale of his, her, and their Goods and Chattels, rendering the Overplus (if any) to the said Owner or Occupier, after all Charges paid.

And whereas the said Highway, or Road, leading from the Town of Castlecomer in the County of Kilkenny, through the Towns of Ballyragget, Freshford, and Hurlingford, in the said County, to the Town of Dundrum, in the County of Tipperary, and from thence through Newcastle to the City of Limerick, may be considerably shortened

shortened, and made much more Convenient for Travellers, if the same was carried straight, and in a direct Line, where the same is now crooked. CHAP. XVIII.

For Remedy whereof, and that all just and reasonable Satisfaction may be given for the Land made Use of in carrying such Road Straight, as aforesaid; Be it Enacted by the Authority aforesaid, that it shall and may be Lawful to and for the said Trustees, or any Eleven or more of them, to ascertain, describe, and set apart, such Part and Proportion of the Land adjoining or contiguous to the said Highway, or Road, or which otherwise lies most convenient for carrying on and continuing the said Highway, or Road, straight and in direct Lines, as they the said Trustees, or any Eleven or more of them, shall judge neressary for carrying the same straight, and in a direct Line, as aforesaid; and the said Trustees, or any Eleven or more of them, are hereby further authorized and impowered, to Treat and Agree with the Owners, and others Interested in the said Ground, to be made Use of in carrying the said Road straight, as aforesaid, for such Recompence and Satisfaction to be made for the same out, of the Tolls and Duties arising by Virtue of this Act, as the said Trustees, or any Eleven or more of them,

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shall think fit and reasonable; and in Case any Person or Persons shall neglect or refuse to Treat or Agree, as aforesaid, or through any Disability by Nonage, Coverture, or Special Limitation, in any Settlement or Settlements, or by Reason of any other Impediment, cannot, or otherwise howsoever refuse to dispose of their respective Interest in such Land as the said Trustees, or any Eleven or more of them, shall think convenient for Shortening the said Road; in every such Case, the said Trustees, or any Eleven or more of them, are hereby authorized and impowered to issue forth their Warrant or Warrants to the Sheriff or Sheriffs of the County where such Ground doth lie, to Impannel and Return before the said Trustees, or any Eleven or more of them, at such Time and Place within the said County, as shall be appointed in such Warrant or Warrants, a sufficient Jury, who, upon their Oaths, (which Oaths the said Trustees, or any Eleven or more of them, are hereby impowered and required to Administer) shall enquire into the true and real Value of such Ground to be made Use of for the said Highway, or Road; and such Verdict or Inquisitions as shall be so found and returned by the said Jury, ascertaining the Value of such Ground, shall be Final and Conclusive, as well to the

the said Trustees, as to the several and respective Owners and Proprietors of such Grounds, notwithstanding any Disability, or Incapacity, whatsoever. CHAP. XVIII.

And forasmuch as the Money to be collected by such Receipt of the said Tolls, will not, at present, be sufficient for the speedy Repairing the said Highway, or Road; Be it Enacted by the Authority aforesaid, that the said Trustees, or any Fifteen or more of them, shall and may, and they are hereby impowered, from Time to Time, by Writing under their respective Hands and Seals, to assign over the said Tolls, or Duties, hereby granted, or any Part thereof, the Costs and Charges whereof shall be Borne and paid out of such separate Toll, or Duty, for any Term or Time during the Continuance of this Act, as a Security for any Sum or Sums of Money by them to be borrowed for that Purpose, to the Person or Persons, or their Trustees, who shall Advance and Lend the same, to secure the Repayment thereof, with lawful Interest, or less, if the same can be had; which said Money borrowed, shall be applied and disposed of, to Amend and Repair the said Road, and to no other Use or Purpose whatsoever.

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And be it further Enacted by the Authority aforesaid, That it shall and may be Lawful to and for the said Trustees, or any Five or more of them, from Time to Time, during the Continuance of this Act, to make out Warrants, or Orders, in Writing, under their Hands, directed to the Treasurer or Receiver of the said Tolls, requiring him to pay thereout, to the Person or Persons mentioned in such Warrant, or Order, their Executors, Administrators, or Assigns, the growing Interest of the Sum of Money mentioned in such Warrant, or Order, as the same shall from Time to Time become due, until such Time as the Principal Sum, mentioned in such Warrant, or Order, shall be Paid and Discharged at one intire Payment; Provided that no Warrant, or Order, to be issued to the said Treasurer or Receiver, by Virtue of this Act, shall be for any greater Sum than Fifty Pounds.

And be it further Enacted by the Authority aforesaid, That all and every Person or Persons, to whom such Warrants, or Orders, shall be given, his, her, or their Executors, or Administrators, may, by Indorsements on such Warrants, or Orders, transfer

transfer the Right and Benefit of the Sum mentioned in such Warrants, or Orders, which Indorsements, upon Notice to the Treasurer or Receiver of the said Tolls, and an Entry or Memorial thereof made in a Book, to be kept for that purpose, which the said Treasurer or Receiver shall, upon Request, without Charge, Fee, or Reward, make accordingly, and shall, upon the like Request, permit to be viewed at reasonable Hours, without Fee or Reward, shall intitle the Indorsee or Assignee, his or her Executors, Administrators, or Assigns, to the sole Benefit of the Sum so Transferred, or Assigned; and that the said Warrant, or Order, may in like Manner be Assigned or Transferred by such Assignee, his, or her Executor or Administrator, and so toties quoties; and that after such Assignment, it shall not be in the Power of the Person or Persons who made such Assignment to make Void, Release, or Discharge the said Assignment, or the Sum thereby Transferred or Assigned, or any part thereof. CHAP. XVIII.

And be it further Enacted by the Authority aforesaid, That the Treasurer or Receiver of the said Tolls, shall Arithmetically Number all the Warrants or Orders, which shall be given or delivered out, in pursuance of this Act, as they shall be

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delivered out, Commencing by Number One, and so continuing the Number till the whole be Arithmetically Numbered.

And be it further Enacted by the Authority aforesaid, That the several Tolls and Duties hereby made payable, shall be applied and paid to the Discharge of the Interest of so much Money as shall be borrowed, in Pursuance of this Act, and towards Repairing the said Road, and that all the Surplus of the said Tolls and Duties hereby made payable, over and above what shall be sufficient to Discharge the said Interest, and Repair the said Road, shall be applied in Discharge of the Principal Money so borrowed, in the Manner herein after mentioned (viz.) That when, and as often as such Surplus, received by the Treasurer or Receiver, shall Amount to the Sum of Two Hundred Pounds, then the said Treasurer or Receiver shall Cause the Numbers of all the Warrants, or Orders, which shall be Issued and Delivered out, in Pursuance of this Act, and the Sums therein Contained, to be Written on several Tickets, or Pieces of parchment, and to be Rolled and Sewed up, and put into a Box or Urn, and well Mixed together, and an indifferent Person to be appointed by the said Trustees, or any Five or more of

of them, ſhall Publickly, between the Hours of Ten and Twelve in the Forenoon, of a Day to be by the ſaid Treaſurer, or Receiver, Publickly Advertized in the Dublin Gazette for that Purpoſe, at leaſt Twenty Days before, at Caſtlecomer, Ballyragget, Freſhford, Hurlingford, Dundrum, or the City of Limerick, Draw out of ſuch Box or Urn, as many of the ſaid Tickets, or Pieces of Parchment, as the Sums therein contained ſhall Amount, to the ſaid Sum of Two Hundred Pounds, and the Perſon or Perſons, the Number of whoſe Warrants or Orders ſhall be ſo Drawn, his or their Executors, Adminiſtrators, or Aſſigns, ſhall within Twenty Days after the ſaid Warrants, or Orders, ſhall be Drawn, be Paid by the ſaid Treaſurer or Receiver, the Principal Sums to him or them reſpectively Due, with the Intereſt for the ſame till Paid; and ſhall, upon Payment thereof, Deliver up his and their ſeveral and reſpective Warrants, or Orders, to the ſaid Treaſurer or Receiver, to be Cancelled accordingly, and the Intereſt Payable by Virtue of ſuch Warrants, or Orders, ſhall ceaſe, from the Expiration of Twenty Days, to be Accounted from the Day of Drawing the ſaid Tickets, or Pieces of Parchment.

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Provided allways, that in Case there shall be more than one Gate or Turnpike, in Trols, or on the Side of the said Highways, or Roads, between the said Town of Castlecomer, in the County of Kilkenny, through the Towns of Ballyragget, Freshford, and Hurlingford, in the said County, to the Town of Dundrum, in the County of Tipperary, and from thence through Newcastle, to the City of Limerick, no Person or Persons, having paid the Toll or Duty, as is herein before Directed, at the first Gate, or Turnpike, through which such Person or Persons shall Pass, and producing a Note, or Ticket, that the said Toll or Duty was paid, which Note, or Ticket, the Receiver or Receivers, Collector or Collectors, is, and are hereby Required to give gratis, shall be liable to Pay any Toll or Duty, at any other of the said Gates, or Turnpikes, upon the said Highway, or Road, such Person or Persons, Delivering the said Note, or Ticket, to the said Receiver or Receivers, Collector or Collectors, of the said Toll or Duty, at the last Gate, or Turnpike, the same Day; and no Person or Persons, having Occasion to pass the Place or Places, where the Toll or Duty is taken, who shall Return the same Day, upon, or with the same Horse, Mare, or Gelding, Ass, Mule, Cattle, Coach,

Coach, Berlin, Chariot, Chaise, Chair, Calash, Waggon, Cart, Carr, or other Carriage, shall be Liable, or Compellable, the same Day, to pay the said Toll or Duty, more than once on the said Road. CHAP. XVIII.

And for preventing Frauds and Abuses, in the said Toll, or Duty; Be it Enacted by the Authority aforesaid, That if any Person or Persons, having Paid the Toll, or Duty, by this Act granted and made Payable, and having such Note, or Ticket, as is hereby Directed, shall give, or Dispose of the same, to any other Person or Persons, in Order to Avoid the Payment of the said Toll, or Duty, every such Person Giving, Disposing, or Offering, and the Person Receiving such Note, or Ticket, Notes, or Tickets, and being thereof Convicted, upon the Oath of One or more Witness or Witnesses, before the said Trustees, or any Five or more of them, or before any One or more Justice or Justices of the Peace, for the County wherein such Offence or Offences shall be Committed, which Oath the said Trustees, and the said Justice or Justices, are hereby Impowered and Required to Administer, shall respectively Forfeit, and pay the Sum of Ten Shillings, to be Levied, Recovered, and Disposed of, as any other Penalties and For-

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feitures are Directed to be Levied, Recovered, and Diſpoſed of by this Act.

And be it further Enacted by the Authority aforeſaid, That the ſaid Truſtees, or any Fifteen or more of them, may, at any Meeting, to be held by them, from Time to Time, as they ſhall ſee Convenient, or think fit, Contract with any perſon or perſons, for the Farming or Letting the Tolls, ariſing by this preſent Act, for any Sum or Sums by the Year, to be paid by Monthly or Quarterly Payments, or oftner, to ſuch perſon or perſons, as ſhall be Appointed, from Time to Time, by the ſaid Truſtees, or any Five or more of them, to Receive ſuch Quarterly, or other Payments, as ſhall be Contracted for after ſuch Contract or Agreement ſhall be made; Provided ſuch Term, ſo to be Granted by them of the ſaid Tolls, ſhall not exceed the Term of Three Years, at any one Time of Letting or Farming the ſame, and ſo toties quoties.

Provided alſo, and be it further Enacted by the Authority aforeſaid, That no perſon ſhall be Charged with any of the Tolls or Duties aforeſaid, who ſhall paſs through

through any of the Turnpikes, to be Erected by this Act, who shall carry any Quantity of Stones, Gravel, or other Materials, for Repairing the said Road, or any of the said Roads; nor shall any Person or Persons, be Chargeable with the said Toll or Duty, for any Carts, Carts, or Waggons, laden with Corn, in the Straw only, or with Hay, drawing from the Meadow or Meadows, to the Haggard only, nor for any Ploughs, Harrows, or other Implements of Husbandry, in order to the Using or Repairing the same, in the several Parishes in which the Highways, or Roads, hereby intended to be Repaired, do lie; nor shall any Toll, or Duty, be Demanded or Taken, at any of the Turnpike or Turnpikes, to be Erected, for any Horse, Mare, or Gelding, or Mule, or other Cattle, going to Water, or for any Post-Horse, carrying the Mail, or Packquet, or for such Horse, as is, or shall be Used only to Ride on, by the Owner, or Driver of any Waggon, Cart, or Carriage, provided such Horse Pass through the said Turnpike, or Turnpikes, with such Waggon, Cart, or Carriage; nor shall any Toll or Duty, be Demanded or Taken, for the Horses of Soldiers passing, that are upon their March, or Waggons, CHAP. XVIII.

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Carts, Carrs, or other Carriages travelling, with Vagrants sent by passes, or with Prisoners transmitted from one Part of the Kingdom to another.

And be it Enacted by the Authority aforesaid, That the Toll or Duty hereby Granted, shall take Place, and have Continuance, from and after the First Day of June, One thousand seven hundred and fifty eight, for and during the Term of Sixty one Years.

Provided, nevertheless, That if at any Time, before the Expiration of the said Term of Sixty one Years, all Parts of the said Roads shall be sufficiently Amended and Repaired, and Adjudged by the Majority of Trustees, Appointed, or hereafter to be Chosen, by Virtue of this Act, by an Adjudication made, and Repayment of such Money as shall have been Advanced, or Borrowed, with Interest for the same, and the Costs and Charges thereof, the said Tolls and Duties shall Cease and Determine; any Thing herein Contained to the Contrary, notwithstanding.

And be it Enacted by the Authority aforesaid, That for Continuing a sufficient Number

Number of able Persons to be Trustees for putting in Execution all and every the Powers in this Act Contained, for, and during the Continuance thereof, it shall and may be lawful to and for the said Trustees, or any Five or more of them, upon the Death of any of said Trustees, or their Removal, or Refusing to act in the said Trust, from Time to Time, and at all Times hereafter, during the Term aforesaid, to Elect, Nominate, and Appoint, in the Room of such Trustee or Trustees, so Deceased, Removed, or Refusing to act, any fit or able Person or Persons of the said County of Kilkenny, to be Joined with the said Trustees, in the Execution of all and every the Power and Powers in them Reposed, by Virtue of this Act; and all and every Person and Persons so to be chosen Trustee or Trustees, for putting this Act in Execution, as they are herein before Qualified to do, shall and may, and are hereby Impowered to Act, to all Intents and Purposes, in as Full, Large, and Ample Manner, as the Trustees are by this Act Impowered to do, and so, toties quoties, as often as Occasion shall Require. CHAP. XVIII.

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And be it Enacted by the Authority aforesaid, That the said Trustees, or any Nine or more of them, shall Meet at Castlecomer, on the first Day of June, One thousand seven hundred and fifty eight, and the said Trustees shall then Adjourn themselves, and afterwards meet there, or at some other Place or Places near the said Highway or Road, to be Repaired, as the said Trustees, or any Five or more of them, shall think Proper and Convenient, as often as it shall be Necessary for putting this Act in Execution: And if it shall happen, that there shall not appear at any Meeting which shall be Appointed to be had or held by the Trustees, a sufficient Number of Trustees, to Act, and to Adjourn to any other Day, that then, and in such Case, the Clerk of the said Trustees, by Notice in Writing, to be Affixed at the respective Gates or Turnpikes, at least Ten Days before the next Meeting, shall Appoint the said Trustees to Meet at the House where the Meeting of the said Trustees was last Appointed to be had, or at some other convenient House near the said Road, on that Day Fortnight upon which such last Meeting of the said Trustees was Appointed to have been

been held, and that the said Trustees, at their First Meeting, and all other subsequent Meetings, shall Defray their own Charges and Expences. CHAP. XVIII.

Provided allways, and be it further Enacted by the Authority aforesaid, That, during the Continuance of this Act, the said Trustees shall Meet at the Towns of Castlecomer, Ballyragget, Freshford, or Hurlingford, as often as there shall be Occasion, for putting in Execution any of the Powers in this Act Contained, relative to that Part of the said Road, which leads from the said Town of Castlecomer, to the Town of Hurlingford, and not elsewhere, and at the said Town of Dundrum, or the City of Limerick, as often as it shall be necessary, for doing any Matter or Thing relative to that part of the said Road, which leads from the said Town of Hurlingford, to the City of Limerick, and not elsewhere.

Provided allways, and be it Enacted by the Authority aforesaid, That no Person or Persons, Appointed, or to be Appointed, by this Act, as Trustee or Trustees for putting this Act in Execution, shall have, or accept of any Place of Profit, Arising

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out of, or by Reason of the Toll or Duty by this Act Laid or Granted, but such Person or Persons shall be Incapable, from the Time of Accepting and Continuing to Enjoy such Place of Profit, of Acting as a Trustee.

And be it further Enacted by the Authority aforesaid, That no such Trustee or Trustees, shall, in his, or their own Name, or in the Name or Names of any other Person or Persons, Undertake or Contract for the Repair of the said Roads, or any part of them, whereby any Profit may Arise to him or them, but that from such Time he or they shall cease to be a Trustee or Trustees; and that any Person or Persons that shall Undertake or Contract for the Repairing or Mending the said Roads, or any part of them, shall, if Required, Take an Oath before the said Trustees, respectively, or any Seven or more of them, which Oath they have hereby Power to Administer, that he or they do Undertake the same for his or their own Use, and not for the Use of, or in Trust, for such Trustee or Trustees whatsoever.

And

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And be it further Enacted by the Authority aforesaid, That if any Suit shall be Commenced against any person or persons, for any Thing done in pursuance of this Act, that in every such Case, the Action shall be laid in the said Counties of Kilkenny, Tipperary, or Limerick, and not elsewhere; and the Defendant or Defendants, in such Action or Actions to be brought, may plead the General Issue, and give this Act, and the Special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance, and by the Authority of this Act; and if it shall appear so to be done, or such Action or Actions shall be brought in any other County, that then the Jury shall find for the Defendant or Defendants, and upon such Verdict; or if the Plaintiff shall be Nonsuited, or Discontinue his Action, after the Defendant or Defendants shall have Appeared, or, if on any Demurrer, Judgment shall be given against the Plaintiff, the Defendant or Defendants shall and may Recover Treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath, or have in any other Cases, by Law.

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And be it Enacted by the Authority aforesaid, That this Act shall be Deemed, Adjudged, and Taken to be, a publick Act, and be Judicially taken Notice of as such, by all Judges, Justices, and every other Person whatsoever, without specially pleading the same.

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AN

ACT

FOR

Making a Wide and Convenient Way, Street, and Paſſage, from *Eſſex-Bridge* to the Caſtle of *Dublin*, and for other Purpoſes therein mentioned.

GII. R.



DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's-Arms* and *Two Bibles* in *Eſſex-Street*. M DCC LVIII.

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AN

ACT

FOR

Making a Wide and Convenient Way, Street, and Paſſage, from Eſſex-Bridge to the Caſtle of Dublin, and for other Purpoſes therein mentioned.

DUBLIN:

Printed by the Executor of George Ashenham Grierson, Printer to the King's Most Excellent Majesty, at the King's-Arms and Two Bibles in Essex-Street. M DCC LVIII.

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AN

ACT

FOR

Making a Wide and Convenient Way, Street, and Paſſage, from *Eſſex-Bridge* to the Caſtle of *Dublin*, and for other Purpoſes therein mentioned.

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WHEREAS the Ways, Streets, Avenues, and Paſſages, leading from Eſſex-Bridge to the Royal Palace, or Caſtle of Dublin, and ſeveral other Ways, Streets, and Paſſages, within the City of Dublin, and Liberties adjoining thereto, are at preſent Narrow, Cloſe,

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Close, and Crooked, and the making a Wide and Convenient Way, Street, and Passage, from the said Bridge to the said Castle, will Contribute to the Ease and Safety of Passengers, the Adorning those Parts of the City, and will be of Use and Benefit to the Publick; Be it Enacted by the King's most Excellent Majesty, by, and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament Assembled, and by the Authority of the same, That the Right Honourable William Henry Fortescue, Esquire, Benjamin Burton, the Elder, Esquire, the Right Honourable Sir Thomas Prendergast, Baronet, Sir Charles Burton, Knight, the Right Honourable William Briscow, Esquire, Thomas Adderly, Esquire, Anthony Foster, Esquire, the Honourable James Hamilton, Esquire, commonly called Lord Viscount Limerick, James Smith, Esquire, Philip Tisdall, Esquire, Aland Mason, Esquire, Redmond Morres, Esquire, the Right Honourable John Ponsonby, Esquire, Speaker of the House of Commons, the Right Honourable Anthony Malone, Esquire, Chancellor of the Exchequer, the Right Honourable Arthur Hill, Esquire, the Right Honourable Sir Arthur Gore, Baronet, Thomas Le Hunte, Esquire, Marcus Paterson, Esquire, the Honourable Brinsley Butler, Esquire, commonly called

Lord

Lord Viscount Newtown, William Brownlow, Esquire, and the Right Honourable the Lord Mayor of the City of Dublin, and the Lord Mayor of the said City for the Time being, shall be appointed Commissioners for making a Wide and Convenient Way, Street, and Passage, from the said Bridge to the said Castle. CHAP. XIX.

And be it Enacted by the Authority aforesaid, That the Commissioners aforesaid, or the Survivors of them, or any Five or more of them, shall and may meet and assemble themselves at the Tholsel of the City of Dublin, on the first Monday next after the Passing of this Act, and afterwards at such Times, and at such Places in the City of Dublin, as the said Commissioners, or the Survivors of them, or any Five or more of them, shall, from Time to Time, think proper; and that it shall and may be Lawful to and for the said Commissioners, or the Survivors of them, or any Five or more of them, to Design, Assign, and Lay out, how, and in what Manner, and through what Ground, such Way, Street, and Passage, shall be made, and in what Manner the New Houses to be Built on each Side of such Way, Street, and Passage, shall be Erected and Built.

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And whereas it will be necessary, for the Making such Way, Street, and Passage, that several Houses and Buildings shall be pulled down; Be it Enacted by the Authority aforesaid, That the said Commissioners, or the Survivors of them, or any Five or more of them, shall have full Power and Authority to Agree with all and every Person and Persons for the Purchase of their respective Estates, Terms, and Interests in all and every such Houses, Buildings, and Grounds, as they the said Commissioners, or the Survivors of them, or any Five or more of them, shall think necessary for them to be Possessed, of or Intitled unto, for the Purposes of this Act.

And be it further Enacted by the Authority aforesaid, That it shall and may be Lawful, to and for all Bodies Politick, Corporate, or Collegiate Corporations, Aggregate, or Sole Trustees, Guardians, and Committees to Lunaticks and Ideots, Executors, Administrators, and Guardians whatsoever, not only for, or on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of Cestique Trusts, whether Infants, or Issue unborn, Lunaticks, Ideots, Feme Coverts, or other Persons whatsoever; and to and for all Feme Coverts,

Coverts, who are, or shall be Seized in their own Right, and to and for all Person and Persons whatsoever, who are or shall be Seized or Possessed of, or Interested in, any Houses, Buildings, or Ground, which, by the said Commissioners, or the Survivors of them, or any Five or more of them, shall be thought necessary to be Purchased, for any of the Purposes of this Act, to Sell and Convey all or any such Houses, Buildings, and Ground, or any part thereof, to the said Commissioners, or the Survivors of them; and that all Compacts, Agreements, Bargains, Sales, and Conveyances, which shall be made by such Persons, as aforesaid, shall be Good and Valid in Law, to all Intents and Purposes, not only to Convey the Estate and Interest of the Person and Persons Conveying, but also to Convey all Right, Estate, Interest, Use, Property, Claim and Demand whatsoever, of their several and respective Cestique Trusts, whether Infants, or Issue Unborn, Lunaticks, Ideots, Feme Coverts, or other Persons whatsoever, and all Claiming, or to Claim, by, from, or under them; any Law, Statute, Usage, or any other Matter or Thing whatsoever, to the contrary thereof, in any wise notwithstanding. CHAP. XIX.

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And that all such Persons so Conveying, as aforesaid, are, and shall be, Indemnified for what they shall do by Virtue of, or in pursuance of this Act; and if it shall happen, that any Person or Persons, Bodies Politick, Corporate, or Collegiate, or other Person or Persons having or Claiming any Estate, Right, Title, Term, or Interest, in such Houses, Buildings, or Ground, as aforesaid, shall refuse to agree for the Sale and Conveyance of their respective Estates, Rights, Titles, Terms, and Interests therein, with the said Commissioners, or the Survivors of them, or any Five or more of them, or shall not Produce and Evince a Clear Title to such Estate, Right, Title, Term, or Interest, as they Claim, to the Satisfaction of the said Commissioners, or the Survivors of them, or any Five or more of them, then, and in such Case, it shall and may be Lawful, to and for the said Commissioners, or the Survivors of them, or any Five or more of them; and they are hereby impowered and authorized to issue a Warrant or Warrants, Precept or Precepts, directed to the Sheriffs of the City of Dublin, who are hereby Authorized, Directed, and Required, accordingly, to Impannel and Return a competent Number of Substantial and Disinterested Persons, Qualified to Serve

Serve on Juries, not less than Thirty six, nor more than Sixty, and out of such Persons so to be Impannelled, Summoned, and Returned, a Jury of Twelve Persons shall be Drawn by some Person, to be by the said Commissioners, and the Survivors of them, or any Five or more of them, Appointed in such Manner as Juries for the Trial of Issues Joined, in His Majesty's Four Courts at Dublin, by an Act made in the Twenty ninth Year of the Reign of His Present Majesty, Intitled, An Act for the better Regulating of Juries, are directed to be Drawn, which Persons so to be Impannelled, Summoned, and Returned, as aforesaid, are hereby required to come and appear before the said Commissioners, or the Survivors of them, or any Five or more of them, at such Time and Place, as in such Warrant or Warrants, Precept or Precepts, shall be directed and appointed, and to attend the said Commissioners, till Discharged by the said Commissioners; and all parties concerned, shall and may have their Lawful Challenges against any of the said Jurymen, but shall not be at Liberty to Challenge the Array; and the said Commissioners, and the Survivors of them, or any Five or more of them, are hereby Authorized and Impowered, by Precept or Precepts, from Time to Time, as Occasion shall require, to call before them,

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all and every Person and Persons whatsoever, who shall be thought Proper or Necessary to be Examined as Witnesses before them, on their Oath, or Oaths, touching and concerning the Premisses; and the said Commissioners, or any Five or more of them, if they think fit, shall and may likewise Authorize the said Jury to View the Place or Places in Question, in such Manner as they shall direct; and the said Commissioners, or the Survivors of them, or any Five or more of them, shall have Power to Adjourn such Meeting, from Day to Day, as Occasion shall require, and to Command such Jury, Witnesses, and Parties, to attend, until such Affairs, for which they were Summoned, shall be concluded; and the said Jury, upon their Oaths (which Oaths, as also the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Commissioners, and the Survivors of them, and any Five or more of them, are hereby Impowered and Required to Administer) shall enquire of the Value of such Houses, Buildings, and Ground, and of the respective Estate, Right, Title, Term, and Interest of every Person or Persons Seized or Possessed thereof, or Interested therein, or of, or in any Part thereof, and shall Assess and Award the Sum or Sums to be Paid to every such Person

Perſon or Perſons, for the Purchaſe of ſuch their reſpective Eſtates, Rights, Titles, Terms, and Intereſts: And the ſaid Commiſſioners, and the Survivors of them, or any Five or more of them, ſhall and may give Judgment for ſuch Sum or Sums of Money ſo to be Aſſeſſed, which ſaid Verdict or Verdicts, and the ſaid Judgment, Decree, or Determination thereupon (Notice in Writing being given to the Perſon or Perſons Intereſted, at leaſt Fourteen Days before the Time of the Firſt Meeting of the ſaid Jury, declaring the Time and Place of ſuch Meeting of the ſaid Commiſſioners and Jury, by leaving ſuch Notice at the Dwelling Houſe of ſuch Perſon or Perſons, or at his, her, or their uſual Place or Places of Abode, or with ſome Tenant or Occupier of ſome of the ſaid Houſes, Buildings, or Ground, intended to be Valued and Aſſeſſed, in Caſe ſuch Party cannot be found out in the City of Dublin, to be Served with ſuch Notice) ſhall be Binding and Concluſive, to all Intents and Purpoſes whatſoever, againſt all and every Perſon or Perſons, Bodies Politick and Corporate, Claiming any Eſtate, Right, Title, Truſt, Uſe, or Intereſt, in, to, or out of the ſaid Houſes, Buildings, Ground, and Premiſſes, either in Poſſeſſion, Reverſion, Remainder,

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mainder, or Expectancy, as well Infants, and Issue unborn, Lunaticks, Ideots, and Feme Coverts, and persons under any other Legal, Incapacity or Disability, as all other Cestique Trusts, his, her, and their Heirs, Successors, Executors, and Administrators, and against all other persons whomsoever; and the said Verdicts, Judgments, and Decrees, and all other Proceedings of the said Commissioners and Juries, to be made, given, and pronounced, as aforesaid, shall be fairly Written on parchment, and Signed and Sealed by the Major part of the said Commissioners, who were present at, and pronounced such Judgment and Decrees.

And be it further Enacted by the Authority aforesaid, That upon payment of such Sum or Sums of Money, so to be Awarded or Adjudged, the person or persons, to whom the same shall be Awarded, for the purchase of the said Houses, Buildings, or Ground, or for the purchase of any Estate, Right, Title, Term, or Interest therein, shall Make, and Execute, or Procure to be Made and Executed, Good, Valid, and Legal Conveyances, Assignments and Assurances in the Law, to the said Commissioners, or the Survivors of them, or to any Five

or

or more of them, of the said Houses, Buildings, or Ground, or of such Estate, Right, Title, Term, or Interest, for which such Sum or Sums of Money shall be so Awarded, and shall procure all necessary Parties, to Execute such Conveyances, Assignments and Assurances, and shall do all Acts, Matters, and Things necessary and requisite, to make a good, clear, and perfect Title, to the said Commissioners, or the Survivors of them, or any Five or more of them, and such Conveyances, Assignments, and Assurances, shall contain all such Reasonable and Usual Covenants, as shall, on the part of the said Commissioners, or the Survivors of them, or any Five or more of them, be required; and in Case such Person or Persons, to whom such Sum or Sums, shall be Awarded, as aforesaid, shall not be able to Evince their Title to the Premisses, to the said Commissioners, and to make, or procure to be made, Good, Valid, and Legal Conveyances thereof, to the said Commissioners, or shall Refuse so to do, being thereunto Required, and such Sum or Sums so Assessed and Awarded, as aforesaid, being tendered to be Paid, to him, her, or them, on their making such Title, and Executing, or procuring to be Executed, such Conveyances, Assignments, and Assurances

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surances, as aforesaid; or, in Case such Person or Persons, to whom such Sum, or Sums of Money shall be Awarded, as aforesaid, cannot be found in the said City, or, in Case, by reason of Disputes, or Differences, or, for Defect of Evidence, it shall not Appear to the said Commissioners, what Person or Persons, is, or are Intitled to the Premisses in Question, then, and in every such Case, as aforesaid, it shall, and may be Lawful, to and for the said Commissioners, or the Survivors of them, or any Five or more of them, to Pay into, and Deposite in His Majesty's High Court of Chancery in this Kingdom, the said Sum, or Sums, so Assessed and Awarded, as aforesaid, as the Value of, and Purchase Money for the said Houses, Buildings, and Ground, which Court is hereby Impowered, in a Summary Way, upon the several Petitions of the respective Parties, to Hear, Judge of, and Determine, as well by Examination of Witnesses upon Oath, as by all other Ways and Means, which the said Court shall judge Proper, the several Rights, Claims, and Demands, of all Persons Interested in, or upon the several Houses, Buildings, and Grounds, that shall be so Valued, and to Ascertain, and Pay unto such Person and Persons respectively, according to their several Interests, such

such Share and Proportion of such Purchase Money, as the said Court of Chancery shall Judge fit, which Judgment in such Case shall be Final and Conclusive. CHAP. XIX.

And be it further Enacted by the Authority aforesaid, That all such Verdicts, Judgments, Sentences, Decrees, Orders, and other Proceedings of the said Commissioners, and Juries, as Relate to, or Concern any Houses, Buildings, or Grounds, so to be Purchased, as aforesaid, shall be Entered in the Rolls Office, of the said Court of Chancery, and the same, or true Copies thereof, shall be deemed, and taken to be good and effectual Evidence and Proof, in any Court, or Courts, of Law or Equity whatsoever, and immediately on such Payment, and Entry of such Verdicts, Judgments, Sentences, Decrees, Orders, and other Proceedings of the said Commissioners, and Juries as aforesaid, all the Estate, Right, Title, Term, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Person or Persons, for whose Use such Money shall be Paid, as aforesaid, in, to, and out of the said Houses, Buildings, Grounds, and Premisses, shall Vest in the said Commissioners, and they shall be Deemed in Law, to be

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in the Actual poſſeſſion thereof, to all Intents and Purpoſes whatſoever.

And be it further Enacted by the Authority aforeſaid, That the Conveyance of any ſuch Eſtate or Intereſt, of any Feme Covert, to the ſaid Commiſſioners, or any Perſon or Perſons, in Truſt for them, by Bargain and Sale, acknowledged by ſuch Feme Covert, in ſuch Manner, as Bargains and Sales are uſually Acknowledged and Enrolled in the Rolls Office, of His Majeſty's High Court of Chancery, in Ireland, within Six Months, after the making thereof, ſhall as Effectually and Abſolutely Convey the Eſtate, and Intereſt of ſuch Feme Coverts in the Premiſſes, as any Fine, or Fines, Recovery or Recoveries, would or could do, if Levied, or Suffered thereof, in due Form of Law; and further, that all Bargains, and Sales whatſoever, to be made, of any ſuch Houſes, Buildings and Ground, as ſhall be Purchaſed by the ſaid Commiſſioners, by Virtue of, and for the purpoſes of this Act, ſhall have the Force, Effect, and Operation in Law, to all Intents and purpoſes, which any Fine, or Fines, Recovery, or Recoveries whatſoever, would have it Levied, or Suffered, by the Bargainor, or Bargainors, or any Perſon or Perſons, Seized of any Eſtate in the Premiſſes in Truſt, for, or to the Uſe of ſuch

such Bargaines, or Bargaines, in any Legal Manner or Form whatsoever. CHAP. XIX.

And be it further Enacted by the Authority aforesaid, That all and every Tenant at Will, or Lessee for a Year, or other Person or Persons in Possession of any such Houses, Buildings, or Grounds, or any Part thereof, which shall be Purchased by the said Commissioners, as aforesaid, and who shall have no greater Interest in the Premisses, than as Tenant at Will, or as Lessee by Parole, for a Year, or from Year to Year, shall Deliver up the Possession of such Premisses immediately to the said Commissioners, or to such Person as the said Commissioners, or the Survivors of them, or any Five or more of them, shall Appoint, to take Possession of the same, in Case the said Commissioners, or the Survivors of them, or any Five or more of them, or such Person Authorized by them, shall Pay, or Tender to him, her, or them, all the Rent which may become Due to the Landlord under such Lease or Contract, as aforesaid, for the said Premisses; or in Case the said Commissioners, or the Survivors of them, or any Five or more of them, shall give him, her, or them, Twelve Months Notice to Quit such Possession, then such

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Person or Persons, in Possession, shall, at the End of the said Twelve Months, or so soon after as he or they shall be Required, peaceably and quietly Deliver up the Possession of the said Premisses to the said Commissioners, or any Person or Persons Authorized by the said Commissioners, or the Survivors of them, or any Five or more of them, to take Possession thereof; and that in Case any such Person or Persons, so in Possession as aforesaid, shall Refuse to give such Possession as aforesaid, then it shall and may be lawful, to and for the said Commissioners, or the Survivors of them, or any Five or more of them, as aforesaid, to Issue their Precept or Precepts to the Sheriffs of the said City, to Deliver Possession of the Premisses, to such Person or Persons, as shall in such Precept or Precepts be Nominated to Receive the same; and the said Sheriffs are hereby Required to Deliver such Possession accordingly, of the said Premisses, and to Levy such Costs as shall accrue from the Issuing and Executing of such Precept or Precepts, on the Person or Persons, so Refusing to give Possession, as aforesaid, by Distress and Sale of his, her, or their Goods.

And

And be it further Enacted by the Authority aforesaid, That all Sums of Money, or other Consideration, Recompence, or Satisfaction to be paid, and Made, pursuant to any such Agreement or Verdict, as aforesaid, and also all such Costs and Charges as shall be Expended in Obtaining and passing this Act, and also all such Costs, Charges, and Expences, as the said Commissioners, or the Survivors of them, shall be at, or put to, in the Execution of the Trusts and Powers hereby Vested in them, shall be paid out of such Monies as the said Commissioners, or the Survivors of them, or any Five or more of them, shall Receive, for the Purposes of this Act.

And be it Enacted by the Authority aforesaid, That the said Commissioners shall pay unto the Right Honourable William Bristow, Esquire, the Sum of Two hundred and forty Pounds, in Discharge of the like Sum Advanced by him for the Purchase of the Ground which has been lately added to Essex-Street, together with lawful Interest for the said Sum, from the Time he so Advanced the same.

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And be it further Enacted by the Authority aforesaid, That it shall and may be lawful for the said Commissioners, or the Survivors of them, or any Five or more of them, as aforesaid, from Time to Time, to Impose any reasonable Fine, not exceeding the Sum of Ten Pounds, on any Sheriff or Sheriffs, or their Deputy or Deputies, Bailiffs, or Agents, respectively, who shall make any Default in the Premisses, and on any Persons who shall be Summoned and Returned on any such Jury or Juries, who shall not Appear; and also any Witness or Witnesses, who shall not Attend, or shall Attend, and Refuse to be Sworn, or, who being Sworn, shall Refuse to give Evidence; and on any Persons Summoned and Returned on such Jury or Juries, who shall Refuse to be Sworn on any such Jury or Juries, or, being Sworn thereon, shall not give his or their Verdict, or shall, in any other Manner, wilfully neglect his or their Duty, in, or touching the Premisses, contrary to the true Intent and Meaning of this Act; and from Time to Time to Levy such Fine or Fines, by Order of the said Commissioners, or the Survivors of them, or any Five or more of them, as aforesaid, as the Case may Require, by Distress

and

and Sale of the Offenders Goods, together with the reasonable Charges of every such Distress and Sale, Returning the Overplus, if any, to the Owner; and all which Fines, which shall be so Recovered and Received, shall be Applied towards the Purposes of this Act. CHAP. XIX.

And whereas, by Reason of the Purchases which the said Commissioners, by Virtue of this Act, are Impowered to make, they may happen to be possessed of some Piece or Pieces of Ground, over and above what may be necessary for the Making a Wide and Convenient Way, Street, and Passage, from the said Bridge to the said Castle, and for the other purposes of this Act; Be it Enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or the Survivors of them, or any Five or more of them, to Sell, or Dispose of, or Let for any Term of Years, or for Lives, with or without Renewals, reserving a Yearly Rent, with or without Fine, such Piece or Pieces of Ground, either together or in Parcels, as they shall find most Advantageous and Convenient, to such Person or Persons as shall be willing to Contract, Agree for, or Purchase the same; and it shall and may be lawful, to

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and for the said Commissioners, or the Survivors of them, or any Five or more of them, to Design, Assign, and Lay out, in what Manner the New Houses, to be Built thereupon, shall be Erected and Built, and of what Breadth and Extent the said Way, Street, and Passage shall be.

Provided allways, That the Monies Arising by Sale of such Grounds, and Selling the Materials of the Houses and Buildings, so to be Purchased and Pulled down, shall be Employed towards making the said Wide and Convenient Way, Street, and Passage, and to other the Purposes herein before mentioned, and to no other Use, Intent, or Purpose whatsoever.

And be it further Enacted by the Authority aforesaid, That all Timber, Stones, Bricks, Tiles, Slates, Planks, Iron, Lead, Glass, and all other Materials, belonging or appertaining to the several Houses or Tenements, Edifices, and Buildings, that shall be taken down, by Virtue of this Act, shall be, and the same are hereby Vested in the said Commissioners, and the Survivors of them, and the said Commissioners, and the Survivors of them, are hereby Required, with all convenient

Speed,

Speed, after such Houses or Buildings shall be taken down, to cause such Timber, Stones, Bricks, Tiles, Slates, Planks, Iron, Lead, Glass, and other Materials, to be Removed from off the Premisses, and to Use and Employ such Part thereof, as they shall see fitting, towards making the said Passage, and what thereof shall afterwards Remain, shall be Sold and Disposed of, for as much Money as can be had or gotten for the same, as they shall from Time to Time deem best; and the Money Arising by and from the Sale of such Part thereof as shall be Sold, shall go, and be Applied to and for the Purposes of this Act.

And be it further Enacted by the Authority aforesaid, That it shall and may be lawful, to and for the said Commissioners, or the Survivors of them, or any Five or more of them, at any Time or Times hereafter, by Writing or Writings under their Hands and Seals, to Nominate and Appoint such Person to be Treasurer, and also such Person or Persons to be Clerk or Clerks, as they shall think fit, for the Receiving and Paying the Monies, to be Received and Paid, in pursuance of this Act, and for doing such other Acts as may be necessary to be done, in the Execution

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of the Powers and Authorities hereby Given to the said Commissioners, which Treasurer and Clerks, shall, from Time to Time, be Removeable, at the Will and Pleasure of the said Commissioners, or the Survivors of them, or any Five or more of them, by Instrument in Writing, under the Hands and Seals of the said Commissioners, and the Survivors of them, or any Five or more of them; and the said Commissioners, and the Survivors of them, or any Five or more of them, shall and may make such Allowance unto such Treasurer, and Clerk or Clerks to be Employed, by, and under the said Commissioners, for their Care and Pains in the Execution of their respective Offices, as the said Commissioners, and the Survivors of them, or any Five or more of them, shall think Reasonable; and the said Treasurer, and Clerk or Clerks, shall, upon Oath, if Required, give in a True, Exact, and Perfect Account in Writing, under their respective Hands, from Time to Time, of all Monies which they, or every, or any of them, shall have Received, Paid, and Disbursed, by Virtue of the said Act, or by Reason of their respective Offices, which Oath the said Commissioners, and the Survivors of them, or any Five or more of them, are hereby Impowered to Administer.

And

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And be it further Enacted by the Authority aforesaid, That for Supplying and Continuing a sufficient Number of fit and able persons to be Commissioners for putting in Execution the Powers and Trusts contained in this Act, when any of the said Commissioners shall Die, or Refuse to Act, the Surviving or Remaining Commissioners, or any Five or more of them shall, by Instrument in Writing under their Hands and Seals, from Time to Time, Nominate and Appoint in the Room of such Commissioner or Commissioners so Dying, or Refusing to Act, so many more fit and able persons, in the Room of such person as shall refuse to Act, or happen to Die, and every New Commissioner, so to be Elected, Nominated, and Appointed, shall have full Power and Authority to Act, and Do, in all Things relating to the Premisses, in as full, large, and ample Manner, to all Intents and Purposes, as any of the Commissioners, hereby Nominated and Appointed.

And be it further Enacted by the Authority aforesaid, That if at any Time or Times, hereafter, any Sum or Sums of Money, shall be Granted by Parliament, for, or towards the Widening, or rendering Convenient, any other of the Ways,

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Streets, or passages, within the City of Dublin, or Liberties adjoining thereto, not Comprized within this Act, the Commissioners hereby Appointed, or the Survivors or Survivor of them, together with such other person or persons, as the Lord Lieutenant, or other Chief Governor or Governors of this Kingdom, for the time being, shall, from time to time, Nominate and Appoint, in the Stead and place, of such Commissioner or Commissioners, herein before named, as shall happen to Die, or any Five or more of such Commissioners, and of such person or persons, so to be Nominated and Appointed, as aforesaid, shall have, Exercise, and Enjoy all such Powers and Authorities, for, and in respect of Widening, and rendering Convenient, all such Ways, Streets, and passages, for which any Sum or Sums of Money shall be Granted, as aforesaid, as the said Commissioners are, by this present Act Intitled to have, Exercise, and Enjoy, for, and in respect of the making a Wide and Convenient passage, from Essex Bridge to the Castle of Dublin, in as full, large, and ample Manner, as if such person or persons, so hereafter to be Nominated and Appointed, had been particularly Named; and also, as if such Ways, Streets, and passages, for the Widening of which, and rendering the same

same Convenient, such Suit or Suits of Money shall be hereafter Granted, as aforesaid, had been particularly set forth in this present Act. CAP. XIX.

And be it further Enacted by the Authority aforesaid, That if any Action shall be brought, or Suit Commenced, against any Person or Persons, for any Thing done in Pursuance of this Act, or in Relation to the Premisses, or any of them, every such Action or Suit shall be laid, or brought within Six Months next, after the Fact done, and shall be laid, or brought in the County of the City of Dublin, and not elsewhere, and the Defendant or Defendants, in such Action, may plead the General Issue, and give this Act, and the special Matter in Evidence, at any Trial to be had thereupon, and that the same was done, in Pursuance, and by the Authority of this Act; and if the same shall Appear to have been so done, or if any such Action, or Suit, shall not be brought within the Time before Limited, or shall be brought in any other County, or Place, than as aforesaid, then the Jury shall find, for the Defendant or Defendants; or if the Plaintiff or Plaintiffs, shall become Nonsuited, or suffer a Discontinuance of his, her, or their Action, or Actions, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if, upon

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Demurrer, Judgment shall be given, against the Plaintiff or Plaintiffs, the said Defendant or Defendants shall have Treble Costs, and shall have such Remedy, for Recovering the same, as any Defendant or Defendants hath, or have, for Costs in other Cases by Law.

And be it further Enacted by the Authority aforesaid, That this Act shall be Declared a Publick Act, and shall be deemed and taken Notice of as such, by all Judges, Justices, and others, in all Courts and Places, without pleading the same.

AN

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AN

ACT

FOR

The Widening and Repairing, or Rebuilding, a Bridge called *Baal's Bridge*, in the City and Garriſon of *Limerick*; and for Enabling and Obliging the Perſons, Intitled to the Houſes and Ground on the ſaid Bridge, to Diſpoſe of their Intereſt in the ſame, on reaſonable Terms, for the Purpoſes aforeſaid.



DUBLIN:

Printed by the Executor of GEORGE ABRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the *King's Arms* and *Two Bibles* in *Eſſex-Street*. MDCCLVIII.

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AN

ACT

FOR

The Widening and Repairing, or Rebuilding a Bridge called Barrs Bridge, in the City and Garrison of Limerick; and for Enabling and Obliging the Perſons intitled to the Houſes and Ground on the ſaid Bridge, to Diſpoſe of their Intereſt in the ſame, on reaſonable Terms, for the Purpoſes aforeſaid.

DUBLIN:

Printed by the Executor of GEORGE ARRAHAM GRIERSON, Printer to the King's Moſt Excellent Majeſty, at the King's Arms and Two Bibles in Dame-Street. MDCCLVIII.

AN ACT

FOR

The Widening, and Repairing, or Rebuilding, of a Bridge called *Beal's* Bridge, in the City and Garrison of *Limerick*: and for Enabling and Obliging the Perſons Intitled to the Houſes and Grottoe on the ſaid Bridge, to Diſpoſe of their Intereſts in the ſame, on reaſonable Terms, for the Purpoſes aforeſaid.

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WHEREAS the City of Limerick, is one of the moſt conſiderable Garriſons, and Fortified places, in this Kingdom.

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And whereas there is no Communication betweene the Barracks in the said City, and the Principal Fortifications thereof, but by an old and narrow Bridge, called Baal's Bridge, in the Middle of the said City, and the said Bridge is also the only convenient Passage betweene most parts of the two great Provinces of Munster and Connaught.

And whereas the said Bridge is now in a most ruinous and dangerous Condition, and it will Contribute much to the Safety and Ease of Passengers, and Accommodation of the Forces in the said Garrison, to Repaire and Widen, or Rebuild the said Bridge, and will be no small Benefit to the publick; Be it Enacted by the King's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this Present Parliament Assembled, and by the Authority of the same, That the Right Reverend James Lord Bishop of Limerick, and Successive Bishop and Bishops of the said See for the Time being; Charles Smyth and Richard Malonfell, Esquires, the Honourable Thomas Southwell, Esquire, Edmond Sexton Pery, Esquire, James Smyth, Esquire, Collector of the Port of Limerick, the Mayor, Recorder,

Recorder, and Justices of the Peace of the City of Limerick, for the Time Being, together with the Incumbent of the three several Parishes of the said City of Limerick, for the Time Being, Edward Taylor, Esquire, William Monsell, Esquire, and the Reverend Henry Smyth, shall be appointed Commissioners for the Widening and Repairing, or Rebuilding the said Bridge, called Baal's Bridge, in the City and Garrison of Limerick aforesaid. CHAP. XX.

And be it Enacted by the Authority aforesaid, That the Commissioners aforesaid, or their Survivors, or any Five or more of them, shall and may Meet and Assemble themselves at the Tholsel of the City of Limerick, on the First Tuesday in the Month of July, One thousand seven hundred and fifty eight, and afterwards at such Times, and at such Places, in the said City of Limerick, as the said Commissioners, or their Survivors, or any Five or more of them, shall, from Time to Time, think proper; and also, that it shall and may be Lawful, to and for the said Commissioners, and their Survivors, or any Five or more of them, to Contract and Agree for the Purchasing of all Houses, Tenements, Edifices, Erections, and Buildings, now standing, or being on the said

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Bridge, or contiguous, or adjoining thereto, which the said Commissioners, and their Survivors, or any Five or more of them, shall Judge necessary to be taken down and removed for the Enlargement and Improvement of the Passage over, and the Avenues leading to and from the said Bridge, and for Rebuilding the same; and that upon Payment of such Sum or Sums of Money, as shall be agreed to be paid for the same; and in Case no Agreement shall be made for the same, on making Satisfaction, in Manner herein after mentioned, to all Owners of, and Persons Interested in such Houses, Tenements, Edifices, Erections, and Buildings, and to the Lessees and Occupiers of all such Houses, Tenements, Edifices, Erections, and Buildings, which shall be Ordered or deemed Necessary to be taken down, the said Commissioners, and their Survivors, or any Five or more of them, are hereby Authorized and Required, with all convenient Speed afterwards, to cause to be taken down all such Houses, Tenements, Edifices, Erections, and Buildings, and also such Houses, Tenements, Edifices, Erections, and Buildings, on, and contiguous to the said Bridge, as the said Commissioners, and their Survivors, or any Five or more of them, shall deem necessary and proper to be taken down, for the Purposes aforesaid,

said, and also to cause the Materials thereof to be removed and taken away, after any such Houses, Tenements, Edifices, Erections, and Buildings, shall be taken down; and this Act shall be sufficient Authority to Indemnify the said Commissioners, and all Persons Authorized by them for so doing, against the Owners of such Houses, Buildings, and Ground, their Heirs, Executors, Administrators, and Assigns, and all other Persons Interested therein, and the Lessees and Occupiers thereof, as if the same had been Sold by Deed of Feoffment, Bargain, and Sale, or other Assurance in the Law whatsoever.

And be it further Enacted by the Authority aforesaid, That it shall and may be Lawful, to and for the said Commissioners, and their Survivors, or any Five or more of them, from Time to Time, to Design, Assign, and Lay out, hold, and in what Manner, and with what Materials the passage over, and through the said Bridge, shall be Widened, Enlarged, and Rendered more Safe and Commodious, and hold the same, and the said Bridge, may, and shall, from Time to Time, be preserved and kept in good Repair and Order; and hold, and in what

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Manner, and with what Materials the said Bridge shall be Rebuilt, if the same shall be Judged necessary, and to make Contracts, and to do all other Matters and Things requisite for Carrying on and Effecting the Purposes directed by this Act to be done, and for Causing the same to be effectually perfected, as to them shall seem meet.

And be it further Enacted by the Authority aforesaid, That the Passage over the said Bridge shall be Secured and Preserved by a proper and uniform Balustrade, or Balustrades, to be erected thereon, and that the said Passage shall be made and continued Safe and Commodious, in all Respects, by such Ways, and of such Width, and in such Manner, as the said Commissioners, and their Survivors, or any Five or more of them, shall Order and Direct.

And be it further Enacted by the Authority aforesaid, That all Timber, Stones, Bricks, Tiles, Slates, Planks, Iron, Lead, Glass, and all other Materials belonging or appertaining to the several Houses or Tenements, Edifices and Buildings that shall be taken down, by Virtue of this Act, shall be, and the same are hereby

hereby Vested in the said Commissioners, and their Survivors, and the said Commissioners, and their Survivors, are hereby required, with all convenient Speed, after any such Houses or Buildings shall be taken down, to cause such Timber, Stones, Bricks, Tiles, Slates, Planks, Iron, Lead, Glass, or other Materials, to be Removed from off the Premisses, and to Use and Employ such Part thereof, as they shall see fitting, towards Widening, Enlarging, and Rendering more Commodious the Passage over the said Bridge, and under the same, or for Rebuilding the same, and what Part thereof shall afterwards remain, shall be Sold and Disposed of for as much Money as can be had, or gotten for the same, as they shall from Time to Time deem best; and the Money arising by and from the Sale of such Part thereof as shall be Sold, shall go and be applied to, and for the Purposes of this Act. CHAP. XX.

And be it further Enacted by the Authority aforesaid, That it shall and may be Lawful, to and for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate, or sole Trustees, Guardians and Committees to Lunaticks, and Ideots, Executors, Administrators, and Guardians

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whatsoever, not only for and on Behalf of themselves, their Heirs, and Successors, but also for and on Behalf of Cestique Trusts, whether Infants, or Issue Unborn, Lunaticks, Ideots, Femes Covert, or other Persons whatsoever, and to and for all Femes Covert, who are, or shall be Seized in their own Right, and to and for all Person or Persons whatsoever, who are or shall be Seized or Possessed of, or Interested in any Houses, Buildings, or Ground, which, by the said Commissioners, or their Survivors, or any Five or more of them, shall be thought Necessary to be purchased for any of the Purposes of this Act, to Sell and Convey all or any such Houses, Buildings, and Ground, or any part thereof, to the said Commissioners, or their Survivors; and that all Compacts, Agreements, Bargains, Sales, and Conveyances, which shall be made by such Persons as aforesaid, shall be Good and Valid in Law, to all Intents and Purposes, not only to Convey the Estate and Interest of the Person or Persons Conveying, but also to Convey all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever, of their several and respective Cestique Trusts, whether Infants or Issue Unborn, Lunaticks, Ideots, Femes Covert, or other Persons whatsoever, and

and all Claiming, or to Claim, by, from, or under them, any Law, Statute, Usage, or any other Matter or Thing whatsoever, to the Contrary thereof, in any wise notwithstanding; and that all such Persons, so Conveying as aforesaid, are and shall be Indemnified for what they shall do, by Virtue of, or in pursuance of this Act; and if it shall happen, that any Person or Persons, Bodies Politick, Corporate, or Collegiate, or other Person or Persons having, or Claiming, any Estate, Title, Term, or Interest in such Houses, Buildings, or Ground, as aforesaid, shall Refuse to Agree for the Sale and Conveyance of their respective Rights, Titles, Terms, and Interests therein, with the said Commissioners, or their Survivors, or any Five or more of them, or shall not Produce or Evince a clear Title to such Estate, Right, Title, Term, or Interest, as they Claim, to the Satisfaction of the said Commissioners, or their Survivors, or any Five or more of them, then, and in such Case, it shall and may be Lawful, to and for the said Commissioners, or their Survivors, or any Five or more of them, and they are hereby Impowered and Authorized to Issue a Warrant or Warrants, Precept or Precepts, directed to the Sheriffs of the City of Limerick, who are hereby Authorized, Di-

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rected and Required, accordingly to Impannel and Return a competent Number of Substantial and Disinterested Persons, Qualified to Serve on Juries, not less than Thirty Six, nor more than Sixty, and out of such Persons so to be Impannelled, Summoned, and Returned, a Jury of Twelve Persons shall be Drawn by some Person, to be by the said Commissioners, and their Survivors, or any Five or more of them, appointed in such Manner as Juries for the Trial of Issues Joined, in His Majesty's Four Courts at Dublin, by an Act made in the Twenty ninth Year of his present Majesty's Reign, Intitled, An Act for the better Regulating of Juries, are directed to be Drawn; which Persons so to be Impannelled, Summoned, and Returned, as aforesaid, are hereby required to come and appear before the said Commissioners, or their Survivors, or any Five or more of them, at such Time and Place as in such Warrant or Warrants, Precept or Precepts, shall be directed and appointed, and to attend the said Commissioners, till Discharged by the said Commissioners; and all Parties concerned, shall and may have their Lawful Challenges against any of the said Jurymen, but shall not be at Liberty to Challenge the Array, and the said Commissioners,

sioners, and their Survivors, and any Five or more of them, are hereby Authorized and Impowered, by Precept or Precepts, from Time to Time, as Occasion shall Require, to call before them, all and every Person and Persons whatsoever, who shall be thought proper, or necessary, to be Examined as Witnesses before them, on their Oath or Oaths, touching or concerning the Premisses: and the said Commissioners, or any Five or more of them, if they think fit, shall and may likewise Authorize the said Jury, to View the Place or Places in Question, in such Manner as they shall Direct; and the said Commissioners, and their Survivors, or any Five or more of them, shall have Power to Adjourn such Meeting from Day to Day, as Occasion shall Require, and to Command such Jury, Witnesses, and Parties to Attend, until such Affairs, for which they were Summoned, shall be Concluded; and the said Jury, shall, upon their Oaths (which Oaths, as also the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Commissioners, and their Survivors, or any Five or more of them are hereby Impowered and Required to Administer) shall Enquire of the Value of such Houses, Buildings, and Edifices, and

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of the respective Estate, Right, Title, Term, and Interest, of every Person or Persons Seized or possessed thereof, or Interested therein, or of, or in any Part thereof, and shall Assess and Award the Sum or Sums to be paid to every such Person or Persons, for the Purchase of such their respective Estates, Rights, Titles, Terms, and Interests; and the said Commissioners, and their Survivors, or any Five or more of them, shall, and may give Judgment for such Sum or Sums of Money so to be Assessed, which said Verdict or Verdicts, and the said Judgment, Decree, or Determination thereupon (Notice in Writing being given to the Person or Persons interested, at least fourteen Days before the Time of the First Meeting of the said Jury, Declaring the Time and Place of such Meeting of the said Commissioners and Jury, by leaving such Notice at the Dwelling-House of such Person or Persons, or at his, her, or their usual Place or Places of Abode, or with some Tenant or Occupier of some of the said Houses, Buildings, or Ground intended to be Valued or Assessed, in Case such Party cannot be found out in the City of Limerick, to be Served with such Notice) shall be Binding and Conclusive, to all Intents and Purposes whatsoever, against

against all and every Person or Persons, Bodies Politick and Corporate, Claiming any Estate, Right, Title, Trust, Use, or Interest into, or out of the said Houses, Buildings, Ground, and Premisses, either in Possession, Reversion, Remainder, or Expectancy, as well Infants, and Issue Unborn, Lunaticks, Idiots, and Femes Covert, and Persons under any other legal Incapacity or Disability, as all other Cestique Trusts, his, her, and their Heirs, Successors, Executors and Administrators, and against all other Persons Whomsoever; and the said Verdicts, Judgments, and Decrees, and all other Proceedings of the said Commissioners and Juries, to be Made, Given, and Pronounced, as aforesaid, shall be fairly Written on Parchment, and Signed and Sealed by the Major part of the said Commissioners, who were present at, and Pronounced such Judgments and Decrees.

And be it further Enacted by the Authority aforesaid, That upon Payment of such Sum or Sums of Money, so to be Awarded or Adjudged, the Person or Persons, to whom the same shall be Awarded, for the Purchase of the said Houses, Buildings, or Ground, or for the Purchase of any Estate, Right, Title, Term, or Inte-

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reſt therein, ſhall Make, and Execute, or Procure to be Made and Executed, Good, Valid, and Legal Conveyances, Aſſignments and Aſſurances in the Law, to the ſaid Commiſſioners, or their Survivors, or to any Five or more of them, of the ſaid Houſes, Buildings, or Ground, or of ſuch Eſtate, Right, Title, Term, or Intereſt, for which ſuch Sum or Sums of Money ſhall be ſo Awarded, and ſhall Procure all neceſſary Parties to Execute ſuch Conveyances, Aſſignments, and Aſſurances, and ſhall do all Acts, Matters, and Things neceſſary and requiſite to make a Good, Clear, and Perfect Title to the ſaid Commiſſioners, or their Survivors, or any Five or more of them; and ſuch Conveyances, Aſſignments, and Aſſurances, ſhall Contain all ſuch reaſonable and uſual Covenants, as ſhall, on the Part of the ſaid Commiſſioners, or their Survivors, or any Five or more of them, be Required; and in Caſe ſuch Perſon or Perſons, to whom ſuch Sum or Sums ſhall be Awarded, as aforeſaid, ſhall not be able to Evince their Title to the Premiſſes to the ſaid Commiſſioners, and to make, or Procure to be made, Good, Valid, and Legal Conveyances thereof to the ſaid Commiſſioners, or ſhall Refuſe ſo to do, being thereunto Required, and ſuch Sum or Sums, ſo Aſſeſſed and Awarded, as aforeſaid,

said, being Tendered to be paid to him, her, or them, on their making such Title, and Executing, or Procuring to be Executed, such Conveyances, Assignments, and Assurances, as aforesaid; or in Case such Person or Persons, to whom such Sum or Sums of Money shall be Awarded, as aforesaid, cannot be found in the said City; or in Case, by Reason of Disputes or Differences, or for Defect of Evidence, it shall not appear to the said Commissioners, what Person or Persons is or are Intitled to the Premisses in Question, then, and in every such Case, as aforesaid, it shall and may be Lawful, to and for the said Commissioners, or their Survivors, or any Five or more of them, to pay into, and Deposite in His Majesty's High Court of Chancery in this Kingdom, the said Sum or Sums so Assessed and Awarded, as aforesaid, as the Value of, and Purchase-Money for the said Houses, Buildings, and Ground, which Court is hereby Impowered, in a Summary Way, upon the several Petitions of the respective Parties, to Hear, Judge of and Determine, as well by Examination of Witnesses upon Oath, as by all other Ways and Means, which the said Court shall judge proper, the several Rights, Claims, and Demands of all Persons interested in, or

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upon the several Houses, Buildings, and Ground, that shall be so Valued; and to Ascertain and Pay unto such Person and Persons respectively, according to their several Interests, such Share and Proportion of such Purchase-Money, as the said Court of Chancery shall judge fit, which Judgment, in such Case, shall be Final and Conclusive.

And be it further Enacted by the Authority aforesaid, That all such Judgments, Verdicts, Sentences, Decrees, Orders, and other Proceedings of the said Commissioners and Juries, as relate to, or concern any Houses, Buildings, or Grounds, so to be Purchased, as aforesaid, shall be Entered in the Rolls-Office of the said Court of Chancery, and the same, or true Copies thereof, shall be deemed, and taken to be, good and effectual Evidence and Proof in any Court or Courts of Law or Equity whatsoever; and immediately upon such Payments and Entry of such Verdicts, Judgments, Sentences, Decrees, Orders, and other Proceedings of the said Commissioners and Juries, as aforesaid, all the Estate, Right, Title, Term, Interest, Use, Trust, Property, Claim, and Demand, in Law and Equity, of the Person or Persons for whose Use such

Money

Money shall be Paid, as aforesaid, into, and out of the said Houses, Buildings, Grounds, and Premisses, shall Rest in the said Commissioners, and they shall be deemed in Law to be in the Actual possession thereof, to all Intents and Purposes whatsoever.

And be it further Enacted by the Authority aforesaid, That in Case any Feme Covert is or shall be Seized in Fee-Simple, or in Tail, General or Special, of any such Lands, Tenements, or Hereditaments, so to be Purchased as aforesaid, by the said Commissioners, or if any Interest in the same, to her Separate Use, free from the Controul or Intermeddling of her Husband, the Purchase-Money, arising from the Sale of such Estate or Interest of such Feme Covert, on the Conveyance of such Estate or Interest to the said Commissioners, shall be Paid either to the Husband of such Feme Covert, at her Request, or to such Person or Persons as she shall, in Writing, under her own Hand, Nominate to Receive the same in Trust, to be Re-invested in Lands, Tenements, or Hereditaments, to be Conveyed as aforesaid, and Settled for such Use, Estate, and Interest, as the same Feme Covert had in the Premisses so Purchased by the said Commissioners.

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And be it further Enacted by the Authority aforesaid, That the Conveyance of any such Estate or Interest of any Feme Covert, to the said Commissioners, or any Person or Persons in Trust for them, by Bargain and Sale, acknowledged by such Feme Covert, in such Manner as Bargains and Sales are usually acknowledged, and Enrolled in the Rolls Office of His Majesty's High Court of Chancery of Ireland, within Six Months after the Making thereof, shall as effectually and absolutely Convey the Estate and Interest of such Feme Covert in the Premisses, as any Fine or Fines, Recovery or Recoveries, should or could do, if Levied or Suffered thereof, in due Form of Law; and further, that all Bargains and Sales whatsoever, to be made of any such Houses, Buildings, or Ground, as shall be purchased by the said Commissioners, by Virtue of, and for the Purposes of this Act, shall have the Force, Effect, and Operation in Law, to all Intents and Purposes, which any Fine or Fines, Recovery or Recoveries whatsoever, would have, if Levied or Suffered by the Bargainer or Bargainers, or any Person or Persons Seized of any Estate in the Premisses, in Trust, for, or to the Use of such Bargainer or Bargainers, in any Legal Manner or Form whatsoever.

And

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And be it further Enacted by the Authority aforesaid, That all, and every Tenant at Will, or Lessee for a Year, or other Person or Persons, in Possession of any such Houses, Buildings, or Grounds, or any part thereof, which shall be Purchased by the said Commissioners as aforesaid, and who shall have no greater Interest in the Premisses, than as Tenant at Will, or as Lessee by Parole for a Year, or from Year to Year, shall Deliver up the Possession of such Premisses, immediately to the said Commissioners, or to such Person as the said Commissioners, or their Survivors, or any Five or more of them, appoint to take Possession of the same, in Case the said Commissioners, or their Survivors, or any Five or more of them, or such Person Authorized by them, shall pay, or tender to him, her, or them, Six Months Rent, of the said Premisses; or in Case the said Commissioners, or their Survivors, or any Five or more of them, shall give him, her, or them, Six Months Notice, to quit such Possession, then such Person or Persons in Possession, shall, at the End of the said Six Months, or so soon after, as he, she, or they, shall be required, peaceably and quietly Deliver up the Possession of the said Premisses to the said Commissioners, or any Person or Persons Authorized by the said Commission-

ers, or their Survivors, or any Five or more of them, to take Possession thereof; and that in Case any such Person or Persons, in Possession as aforesaid, shall Refuse to give such Possession as aforesaid, then it shall, and may be Lawful, to, and for the said Commissioners, and their Survivors, or any Five or more of them, as aforesaid, to Issue their Precept, or Precepts, to the Sheriffs of the said City, to deliver Possession of the Premisses, to such Person or Persons, as shall in such Precept or Precepts be Nominated to Receive the same; and the said Sheriffs are hereby required to Deliver such Possession accordingly, of the said Premisses, and to Levy such Costs, as shall Accrue from the Issuing and Executing of such Precept or Precepts, on the Person or Persons so Refusing to give Possession, as aforesaid, by Distress and Sale of his, her, or their Goods.

And be it further Enacted by the Authority aforesaid, That all Sums of Money, or other Consideration, Recompence, or Satisfaction to be paid, and made, pursuant to any such Agreement, or Verdict, as aforesaid; and also, all such Costs and Charges, as shall be Expended, in Obtaining, and Passing this Act; and also, all such Costs, Charges, and Expences, the said Commissioners, or their Survivors,

or any of them, shall be at, or put to, in the Execution of the Trusts and Powers, hereby Vested in them, shall be paid out of such Monies, as the said Commissioners, or their Survivors, or any Five or more of them, shall Receive for the Purposes of this Act. CHAP. XX.

And be it further Enacted by the Authority aforesaid, That it shall and may be Lawful, to and for the said Commissioners, or their Survivors, or any Five or more them, as aforesaid, from Time to Time, to Impose any reasonable Fine, not exceeding the Sum of Ten Pounds, on any Sheriff or Sheriffs, or their Deputy, or Deputies, Bailiffs, or Agents respectively, who shall make any Default in the Premisses, and on any Person or Persons, who shall be Summoned, and Returned, on any such Jury, or Juries, who shall not Appear; and also, on any Witness or Witnesses, who shall not Attend, or shall Attend, and refuse to be Sworn, or, who being Sworn, shall refuse to give Evidence, and on any Person or Persons, Summoned and Returned, on such Jury, or Juries, who shall refuse to be Sworn, any such Jury or Juries, or being Sworn thereon, shall, not give his or their Verdict, or shall in other Manner, wilfully Neglect his or their Duty, in, or touching the

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Premiſſes, contrary to the true Intent and and Meaning of this Act, and from Time to Time, to Levy ſuch Fine or Fines, by Order of the ſaid Commiſſioners, or the Survivors, or any Five or more of them, as aforeſaid, as the Caſe may require, by Diſtreſs and Sale of the Offenders Goods, together with the reaſonable Charges of every ſuch Diſtreſs and Sale, returning the Overplus (if any be) to the Owner, and all ſuch Fines, which ſhall be ſo Recovered and Received, ſhall be applied towards the Purpoſes of this Act.

And be it further Enacted by the Authority aforeſaid, That it ſhall and may be Lawful, to and for the ſaid Commiſſioners, and their Survivors, and any Five or more of them, at any Time or Times hereafter, by Writing under their Hands and Seals, to Nominate and Appoint ſuch Perſon to be Treaſurer and Clerk, as they ſhall think fit, for the Receiving, and Paying the Monies, to be Received and Paid, in Purſuance of the ſaid Act, and for doing ſuch other Acts, as may be Neceſſary to be done, in the Execution of the Powers and Authorities, hereby given to the ſaid Commiſſioners, which Treaſurer and Clerk, ſhall, from Time to Time, be Removeable, at the Will and Pleaſure of the ſaid Commiſſioners, or their Survivors,

Survivors, or any Five or more of them, by Instrument in Writing, under the Hands and Seals of the said Commissioners, and their Survivors, or any Five or more of them, and that the said Commissioners, and their Survivors, or any Five or more of them, shall, and may make such Allowance, or Salary, unto such Treasurer and Clerk, to be employed by, and under the said Commissioners, for their Care and Pains, in the Execution of his said Office, or Offices, as the said Commissioners, and their Survivors, or any Five or more of them, shall think Reasonable, so as such Allowance, or Salary, do not Exceed the Sum of Forty Pounds by the Year; and the said Treasurer and Clerk, shall, upon Oath (if required) give in a True, Exact, and Perfect Account, in Writing, under his Hand, from Time to Time, of all Monies which he shall have Received, Paid, and Disbursed, by Virtue of the said Act; or by Reason of his said Office, or Offices, which Oath the said Commissioners, and their Survivors, or any Five or more of them, are hereby Impowered to Administer.

And be it further Enacted by the Authority aforesaid, That for the Supplying and Continuing a sufficient Number of fit and

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able Persons to be Commissioners, for putting in Execution the Powers and Trusts contained in this Act, when any of the said Commissioners shall Die, or Refuse to Act, the Surviving or Remaining Commissioners, or any Five or more of them, shall, by Instrument in Writing under their Hands and Seals, from Time to Time, Nominate and Appoint, in the Room of such Commissioner or Commissioners so Dying or Refusing to Act, so many more fit and able Persons in the Room of such Persons as shall Refuse to Act, or happen to Die, and every new Commissioner, so to be Elected, Nominated, and Appointed, shall have full Power and Authority to Act, and to do in all Things Relating to the Premisses, in as Full, Large, and ample Manner, to all Intents and Purposes as any of the Commissioners hereby Nominated and Appointed.

And be it further Enacted by the Authority aforesaid, That if any Action shall be brought, or Suit commenced against any Person or Persons for any Thing done in Pursuance of this Act, or in Relation to the Premisses, or any of them, every such Action, or Suit, shall be laid, or brought,

brought, within Six Months next after the fact done, and shall be laid or brought in the County of the City of Limerick, and not elsewhere; and the Defendant or Defendants, in such Action, may plead the General Issue, and give this Act, and the Special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance, and by the Authority of this Act; and if the same shall appear to have been so done, or if any such Action, or Suit, shall not be brought within the Time before Limited, or shall be brought in any other County, or Place, than as aforesaid, then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become Nonsuited, or suffer a Discontinuance of his, her, or their Action or Actions, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or if upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and shall have such Remedy, for Recovering the same, as any Defendant or Defendants hath, or have, for Costs, in other Cases, by Law.

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And be it further enacted by the Authority aforesaid, That this Act shall be a Publick Act, and shall be deemed and taken Notice of as such, by all Judges, Justices, and others, in all Courts and Places, without pleading the same.

FINIS.